S. HRG. 101-320

DRUGS AND PUBLIC HOUSING

HEARING

BEFORE THE

PERMANENT SUBCOMMITTEE ON INVESTIGATIONS

OF THE

COMMITTEE ON
GOVERNMENTAL AFFAIRS
UNITED STATES SENATE

ONE HUNDRED FIRST CONGRESS

FIRST SESSION

MAY 10, 1989

Printed for the use of the Committee on Governmental Affairs

U.S. GOVERNMENT PRINTING OFFICE
22-153 WASHINGTON : 1989

For sale by the Superintendent of Documents, Congressional Sales Office
U.S. Government Printing Office, Washington, DC 20402

S401-1

COMMITTEE ON GOVERNMENTAL AFFAIRS

JOHN GLENN, Ohio, *Chairman*

SAM NUNN, Georgia	WILLIAM V. ROTH, Jr., Delaware
CARL LEVIN, Michigan	TED STEVENS, Alaska
JIM SASSER, Tennessee	WILLIAM S. COHEN, Maine
DAVID PRYOR, Arkansas	WARREN B. RUDMAN, New Hampshire
JEFF BINGAMAN, New Mexico	JOHN HEINZ, Pennsylvania
HERBERT KOHL, Wisconsin	PETE WILSON, California
JOSEPH I. LIEBERMAN, Connecticut	

Leonard Weiss, *Staff Director*
Jo Anne Barnhart, *Minority Staff Director*
Michal Sue Prosser, *Chief Clerk*

PERMANENT SUBCOMMITTEE ON INVESTIGATIONS

SAM NUNN, Georgia, *Chairman*
JOHN GLENN, Ohio, *Vice Chairman*

CARL LEVIN, Michigan	WILLIAM V. ROTH, Jr., Delaware
JIM SASSER, Tennessee	TED STEVENS, Alaska
DAVID PRYOR, Arkansas	WILLIAM S. COHEN, Maine
HERBERT KOHL, Wisconson	WARREN B. RUDMAN, New Hampshire
JOSEPH I. LIEBERMAN, Connecticut	PETE WILSON, California

Eleanore Hill, *Chief Counsel*
Daniel F. Rinzel, *Counsel to the Minority*
Mary D. Robertson, *Chief Clerk*

CONTENTS

Opening statements: Page

Senator Nunn 1
Senator Roth 2
Senator Pryor 5
Senator Kohl 7
Senator Lieberman 8
Senator Levin 10

WITNESSES

Wednesday, May 10, 1989

Hon. Jack Kemp, Secretary, Department of Housing and Urban Development, accompanied by Mary Brunett, Special Assistant to the Secretary, and Steve Britt, Office of General Counsel 10
Mildred Wortham, Resident of Rockwell Gardens, Chicago Housing Authority, Chicago, IL 32
Edith Grigsby, Resident of Lincoln Heights, Washington, DC 34
Charles Jenkins, Resident of Claridge Towers, Washington, DC 37
MaryAnn Russ, Executive Director, Wilmington, DE, Public Housing Authority 48
Vincent Lane, Chairman, Chicago Housing Authority 51
Manuel Quintana, General Counsel, New York City Housing Authority 55
Kenneth J. Finlayson, former Regional Commissioner, HUD Region Number Three 64
Hon. Al O. Plant, Sr., a Representative to the Delaware General Assembly from the Second District of Delaware 69
Rev. Benjamin T.B. Brown, on behalf of the Ministerial Alliance of Delaware and the Ministers Action Council, Wilmington, DE 70
Herman Holloway, Jr., on behalf of the King Center, Wilmington, DE 70

Alphabetical List of Witnesses

Britt, Steve: Testimony 10
Brown, Rev. Benjamin T.B.: Testimony 70
Brunett, Mary: Testimony 10
Finlayson, Kenneth J.:
  Testimony 64
  Prepared statement 133
Grigsby, Edith:
  Testimony 34
  Prepared statement 88
Holloway, Herman, Jr.: Testimony 70
Jenkins, Charles:
  Testimony 37
  Prepared statement 90
Kemp, Hon. Jack:
  Testimony 10
  Prepared statement 79
Lane, Vincent:
  Testimony 51
  Prepared statement with an attachment 96
Plant, Hon. Al O., Sr.: Testimony 69
Quintana, Manuel:
  Testimony 55
  Prepared statement 118

Russ, MaryAnn.: Page
Testimony 48
Prepared statement 92
Wortham, Mildred:
Testimony 32
Prepared statement 86

APPENDIX

Prepared statements of witnesses in order of appearance 79

EXHIBITS

1. Staff Statement (with Appendix) 139
2. Memorandum for Public and Indian Housing Authorities from Jack Kemp, Secretary of Housing and Urban Development, regarding Drug Abuse Elimination Efforts, February 28, 1989 189
3. News Release, April 17, 1989, U.S. Department of Housing and Urban Development, Office of Public Affairs, entitled, Secretary Kemp Acts to Speed Nationwide Eviction of Drug Dealers ..... (*)
4. Memorandum from U.S. Department of Justice, Executive Office for United States Attorneys, regarding Drug Free Public Housing Efforts of the United States Attorneys ..... (*)
5. United States District Court for the District of Columbia, Memorandum and Order, *National Tenants Organizations, et. al.* v. *Samuel R. Pierce, Jr.*, Secretary of Housing and Urban Development. Civil Action No. 88–3134 ..... (*)
6. Statement by Jack Kemp, Secretary of Housing and Urban Development, Press Conference on Crime and Drugs in Washington, D.C., April 10, 1989 (*)
7. Letter from Charles Jenkins, resident of Claridge Towers, April 5, 1989..... 194
8. Letter to The Honorable Jack Kemp, Secretary, Department of Housing and Urban Development, from Roland L. Turpin, Acting Director, Department of Public and Assisted Housing, Government of the District of Columbia regarding problems of crime and drugs on public housing properties 195
9. Adopt a Cop, Volunteerism in Action, February 15, 1989, prepared by Government of the District of Columbia, Department of Public and Assisted Housing ..... (*)
10. Barring Notice, District of Columbia ..... (*)
11. Tenant Selection Procedure, Kenilworth Parkside Resident Management Corporation 200
12. Statement of Brenda Stephenson..... 202
13. Memorandum from Wilbert U. Allen, First Deputy General Counsel, Chicago Housing Authority to Robert D. Whitfield, regarding Status of Forcible Entry and Detainer Cases Involving Drug-related Criminal Activity, May 9, 1989..... 204
14. Notice to CHA Residents concerning New Charges for Lease violations..... 213
15. Chicago Housing Authority Emergency Housing Inspection Report..... 214
16. Chicago Housing Authority Public Housing Map..... (*)
17. Photographs, Before and after Operation Clean Sweep of 2417 West Adams and 1015–17 North Larrabbee ..... (*)
18. U.S. Department of Justice, United States Attorney, Northern District of Illinois, March 31, 1989 Information Release ..... (*)
19. Tenant identification card..... (*)
20. Visitor sign-in sheet..... (*)
21. Chicago Housing Authority's Formula for Family Living ..... (*)
22. New York City Housing Police Department Suspected Drug-Criminal Activity Report Form 216
23. The New York City Housing Authority's Federal Forfeiture Project, Report prepared by New York City Housing Authority..... 218
24. Seizure Cases: *Ming Fai Liang, Stephanie Zelany and Michael Rigsby* v. *New York City Housing Authority; United States of America* v. *All Right Title and Interest A Leasehold known as Apartment 17H, 170 Madison Street, New York, New York; and United States of America* v. *The Leasehold Interest in 11 Lorraine Street, Apartment 2E, Brooklyn, New York*..... (*)
25. The Drug Problem, A Project Manager's Guide, prepared by the Narcotics Task Force, New York City Housing Authority..... (*)

Page

26. Memorandum to Assistant Chief Marvin Krivitzky, New York City Housing Authority Police Department from Philip Dinanzio Supervisor, Statistics and Records, dated April 6, 1989, regarding NYCHA Drug Arrests, January—March, 1989 ..... (*)
27. Housing Police Budget Breakdown, 1989 ..... (*)
28. Form prepared by New York City Housing Authority Police Department and forwarded to the Legal Department to initiate eviction proceedings .... (*)
29. Booklet prepared by the City Kids Foundation entitled, "City Kids Speak on Education, 1989 ..... (*)
30. Letter to The Honorable William V. Roth, Jr., from Richard Y. Nelson, Jr., Executive Director, National Association of Housing and Redevelopment Officials, May 18, 1989 229
31. Statutory Nuisance Evictions, Boston Housing Authority ..... (*)
32. Letter to Barbara Kammerman from Thomas Miller, Attorney, Boston Housing Authority, April 24, 1989 regarding matters relating to housing courts and various Massachusetts laws ..... (*)
33. Letter to Marvin H. Lerman, Esquire, Department of Housing and Urban Development, Boston, Massachusetts, from Rod Soloman, General Counsel, Boston Housing Authority, March 6, 1989, re: Request for determination pursuant to 42 U.S.C. sec. 1437(k) and 24 C.F.R. sec. 966.41 regarding eviction proceedings in Massachusetts Courts and responses ..... (*)
34. Resolution by the Housing Authority of the City of Omaha re: Anti-Drug Abuse Act of 1988, P.L. 100–690 ..... (*)
35. Tenant Guidelines by the Housing Authority of the City of Omaha re: Anti-Drug Abuse Act of 1988, P.L. 100–690 ..... (*)
36. News article, the Buffalo News, February 23, 1989, "Housing Authority Honored for Anti-Drug Program" ..... (*)
37. News article, Buffalo Community News, November 21, 1988, "Project to Fight Drugs in Public Housing" ..... (*)
38. News article, Wilmington News Journal, February 28, 1989, "Feds Recognize Housing Authority for Anti-Drug Fight" ..... (*)
39. Lease and Grievance Procedure for Public Housing Resident, Wilmington Housing Authority, Revised, 1988 ..... (*)
40. News article, Wilmington News Journal, "Mothers Appeal WHA Eviction & WHA in Forefront," Drug Ousters ..... (*)
41. Letter to David Fonkalsrud from Sally B. Gold, April 14, 1989, regarding Housing Authority of Baltimore City Tenant Terminations/Grievance ..... (*)
42. Statement of Samuel A. Hider, Executive Director, Atlanta Housing Authority 252

*May be found in the files of the Subcommittee

DRUGS AND PUBLIC HOUSING

WEDNESDAY, MAY 10, 1989

U.S. SENATE,
PERMANENT SUBCOMMITTEE ON INVESTIGATIONS,
COMMITTEE ON GOVERNMENTAL AFFAIRS,
Washington, DC.

The Subcommittee met, pursuant to notice, at 9:40 a.m., in room SD-342, Dirksen Senate Office Building, Hon. Sam Nunn, Chairman of the Subcommittee, presiding.

Present: Senators Nunn, Roth, Levin, Pryor, Kohl, and Lieberman.

Staff present: Eleanore J. Hill, Chief Counsel; John F. Sopko, Deputy Chief Counsel; Mary D. Robertson, Chief Clerk; Kim Wherry, Counsel; Leonard A. Willis, Investigator; Mariea Sweeney, Staff Assistant; Daniel F. Rinzel, Minority Chief Counsel; Barbara Kammerman, Minority Deputy Chief Counsel; Sallie Cribbs, Minority Executive Assistant to Chief Counsel; Carla Martin, Minority Assistant Chief Clerk; Paul Owens, Minority Staff Assistant; David Fonkalsrud, Minority Staff Assistant; Aaron Bayer, Bill Bonvillian, Senator Lieberman's staff; Bev Anthony, Senator Kohl's staff; Kim Corthell, Senator Cohen's staff; Anne Lewis, Linda Gustitus, Senator Levin's staff; Rick Goodman, Senator Pryor's staff; Don Goldberg, Senator Glenn's staff; Eric Whitaker, Senator Rudman's staff; Verna Wilkins, Senator Roth's staff; and Brenda Benadon, Senator Stevens' staff.

OPENING STATEMENT OF SENATOR NUNN

Senator NUNN. The Subcommittee will come to order.

This morning, the Subcommittee on Investigations turns its attention to an issue which, in recent months, has repeatedly sent shock waves of anger and fear across the country. Daily news reports have documented in graphic and, in many cases, terrifying detail, the fact that drug dealers have turned many public housing projects into virtual no-man's lands where violence has become the only rule.

As citizens, we have been shocked to hear that law enforcement authorities and residents alike have routinely designated many of these areas as war zones in our major cities. Random gun fire, drive by shootings, and execution style killings are no longer isolated rare instances. They are fast becoming the accepted code of conduct under which far too many low income Americans must now learn to survive.

We are all familiar with the old adage, "A man's home is his castle." For too many public housing tenants, nothing could be fur-

ther from the truth. They have little choice but to become prisoners within their own homes, desperately trying to insulate themselves and their families from the death and destruction that rages at their doorstep. Surely this is not the type of life that any American, whatever his income or her income, should be forced to lead.

Public housing was not created to provide booming profits and bustling marketplaces for drug dealers. It was not created to provide a cheap child labor force for the drug trade. It was not created to provide public execution places and battle grounds for drug wars.

It was not created to provide criminals with a safe haven beyond the reach of the law. And it was not created to erect a barrier of violence and fear, further isolating low income Americans from their more fortunate and prosperous fellow citizens.

Yet, if nightly news reports are accurate, public housing is, in fact, rapidly becoming all of these things. Drug dealers and the violence by which they thrive are robbing low income Americans of not only the safety of their homes, but also, the hope of a better future for their families.

Public housing in this country was intended to help low income Americans break the cycle of poverty by providing them with decent and affordable housing. If we allow the current situation to continue, however, public housing may instead make it even harder for those families to ever share in the promise of the American dream.

We cannot, as a society, allow young people in public housing projects to grow up knowing no other life than one continually dominated by drugs and violence. We cannot allow them to grow up learning that the only way to cope with reality is to avoid it through drugs.

We cannot allow them to grow up learning that narco-dollars are the only money that they will ever see. And we cannot allow them to grow up learning that disputes, no matter how petty, can only be settled with a gun. We cannot allow whole generations of children to be born already addicted to drugs.

If we let that happen, the loss to our future as a Nation will be one borne by all Americans and not just by those who live in public housing. This problem is one that faces all Americans from all neighborhoods, rich and poor, and one which demands that we all work together as a Nation to find a solution.

In that context, I commend Senator Roth and his minority staff for bringing this issue to the attention of the Subcommittee and the Senate, and for their fine investigative work leading to this morning's hearings. There are few issues that are more timely or more critical than the one that is before us this morning. Senator Roth, I commend you and your staff and we thank you because you have demonstrated again your leadership in this area.

This morning's witnesses include both public housing residents and Government officials seeking to end the tyranny of drugs and crime in many public housing communities. I commend them for their efforts, and especially Secretary Kemp for the leadership he has shown in attempting to devise an effective strategy to protect the millions of law-abiding residents of public housing from the drug epidemic.

Secretary Kemp hit the ground running; he did not wait around for a couple of years of study. He took the initiative. Secretary Kemp, we do not know whether we will agree with every solution you propose, but at least you are out there on the playing field, you are trying, and you are working and we commend you for that.

I am pleased that Secretary Kemp is with us this morning. I am most interested in hearing his views, as well as those of other witnesses. Through their testimony, I hope to learn more about what action has been taken, what more can be done by Federal officials, housing authorities, and tenants to attack this problem effectively, while taking care to preserve the rights of honest and law-abiding public housing residents.

With that in mind, I look forward to their testimony and Senator Roth, I will turn it over to you for your statement before swearing in our witnesses.

OPENING STATEMENT OF SENATOR ROTH

Senator ROTH. Well, thank you, Mr. Chairman.

Let me thank you and your staff for the cooperation on this investigation. We all know that the drug epidemic is sweeping this country, and that public housing has been especially hard hit. For an illustration of this fact, one need look no further than Eastgate, right here in Washington, where drug dealers brazenly ply their trade at all hours, and settle their disputes in street gun battles.

Unfortunately, Eastgate is not unique. Numerous other public housing developments across our Nation are likewise afflicted. Many Americans have only recently become aware of this fact through TV and talk shows, but the decent, honest, and law-abiding residents of developments where drugs have invaded come face to face with this scourge each day. I might add that the majority of the residents of these public housing developments are women and children.

There is no question that the harmful effect of the problem reaches far beyond the development where the drugs are sold. Drug dealers have turned numerous public housing properties into distribution centers for entire areas. Drugs in public housing are, for that reason, everyone's concern.

Two months ago, I asked the staff to look into the problem of drugs in public housing, to try to identify solutions. Since that time, they have been in consultation with officials in HUD, and public housing authorities across the Nation. They have contacted law enforcement officials in cities where drugs are a major problem in public housing. They have talked with housing development and resident organizations, and they have interviewed or met with literally dozens of public housing residents.

Frankly, the accounts of the residents do indeed paint a grim picture. Many said that crime and drugs have become so bad in their neighborhoods or buildings, that they have become virtual hostages in their own homes. In many public housing development high rises, the streets have come indoors; hallways and stairways have taken on the look of the worst avenues and alleys outside of the building.

Local police do not have the manpower or resources to keep up. When they direct their efforts towards one development, the dealers and purchasers simply pack up and move to another.

We hope there is a light at the end of the tunnel, and with the encouragement and support of our very strong and competent new Secretary of HUD, Jack Kemp, tenants and public housing officials, some of whom we will hear today, are fighting back against drugs in public housing. A new generation of administrators is implementing innovative new programs to cope with the drug problem and its underlying causes—the deterioration of public housing and the lack of education, rehabilitation and opportunity for its residents. And the residents themselves are organizing, defying great danger in many cases to reclaim their neighborhoods and buildings.

I think—and I would say this to our Secretary of HUD—that it is important that everyone be aware of the mandate established by Congress in the 1988 Drug Act. I would just like to read that, where it requires that public housing leases include provisions that "A public housing tenant, any member of the tenant's household, or a guest or other person under the tenant's control shall not engage in criminal activity, including drug-related criminal activity on or near public housing premises."

I might point out that in introducing this amendment, Senator Byrd, then-Majority Leader, stated that it was the intent of the amendment to give public housing "public-housing agencies the added authority to evict tenants if they, their families, or their guests engage in drug-related criminal activities."

Well, I do not want to take more time, but I would ask, Mr. Chairman, that my full statement be included in the record, and I look forward to hearing the testimony of Jack Kemp.

[The prepared statement of Senator Roth follows:]

PREPARED STATEMENT OF SENATOR ROTH

Today the Permanent Subcommittee on Investigations examines the problem of drugs in public housing. In the drug epidemic sweeping this country, public housing has been especially hard hit. For an illustration of this fact, one need look no farther than Eastgate, right here in Washington, where drug dealers brazenly ply their trade at all hours, and settle their disputes in street gun battles. Unfortunately, Eastgate is not unique; numerous other public housing developments across the nation are likewise afflicted. Many Americans may have only recently become aware of this fact through nationally televised news specials and talk shows. But the decent, honest and law-abiding residents of developments where drugs have invaded come face-to-face with this scourge each day. The majority of public housing residents, I might add, are women and children.

There is no question that the harmful effects of the problem reach far beyond the developments where the drugs are sold. Drug dealers have turned numerous public housing properties into distribution centers for entire areas. Drugs in public housing are everyone's concern.

Two months ago, I asked the staff of the Permanent Subcommittee on Investigations to look into the problem of drugs in public housing, with the hope of identifying solutions. Since then, Subcommittee staff have consulted with officials in the Department of Housing and Urban Development and in public housing authorities across the nation. They have contacted law enforcement officials in cities where drugs are a major problem in public housing. They have talked with housing development and resident organizations. And they have interviewed or met with dozens of public housing residents.

The accounts of the residents paint a grim picture. Many said that crime and drugs have become so bad in their neighborhoods or buildings that they have become virtual hostages in their own homes. In many high-rise public housing de-

velopments, the streets have come indoors; hallways and stairwells have taken on the look of the worst avenues and alleys outside of the building. Local police simply do not have the manpower or resources to keep up. When they direct their efforts toward one development, the dealers and purchasers simply pack up and move to another.

But we hope there is a light at the end of the tunnel. With the encouragement and support of Jack Kemp, the new Secretary of Housing and Urban Development, tenants and public housing officials, some of whom we will hear from today, are fighting back against drugs in public housing. A new generation of administrators is implementing innovative new programs to cope with the drug problem, and with its underlying causes—the deterioration of public housing, and the lack of education, rehabilitation and opportunity for its residents. And the residents themselves are organizing, defying great danger in many cases to reclaim their neighborhoods and buildings.

A lot of publicity has focused recently on eviction from public housing for illegal drug activity. In some regrettable cases, eviction may be necessary. But those evicted must not be abandoned. They may need treatment and rehabilitation. Their families may need alternative shelter. These and other ramifications of evictions must be addressed.

Today we will hear first from Secretary Kemp on the steps that the Department of Housing and Urban Development is taking to rid public housing of drugs. Secretary Kemp had made this issue a priority since assuming his new post. We are honored to have him here this morning. I am personally delighted to work with Jack again. Some of you taxpayers might be aware that Jack and I have worked together before.

We will also hear from public housing officials representing New York, Chicago and Wilmington, Delaware, and we will hear from those in the best position to talk about the problem of drugs in public housing—the residents themselves.

While we will hear promising approaches, even the most optimistic among us has no illusions that the problem is going to disappear overnight. But it is important, when facing a challenge of this magnitude, that successful strategies be publicized. I am hopeful that today's hearing will move us closer to the goal of taking back America's public housing projects for its residents.

Senator NUNN. Thank you very much, Senator Roth.

If there are no further opening statements, Mr. Secretary, we have a standing rule before our Subcommittee—have had it for years—that we swear in all the witnesses, no exceptions. So, we would appreciate it, if you would, and any of your associates that are going to testify, we would ask them to take the oath also.

Secretary KEMP. I doubt if they will, but they are here.

Senator NUNN. Well, let us have all of them sworn, and then if you want to refer questions to them, we can do that.

Hold up your right hand. Do you swear the testimony you give before this Subcommittee will be the truth, the whole truth, and nothing but the truth, so help you God?

Secretary KEMP. I do.

Ms. BRUNETT. I do.

Mr. BRITT. I do.

Senator NUNN. Senator Pryor, did you have some opening comments?

Senator PRYOR. Mr. Chairman, I did. Should I just put them in the record? I do not want to take too much time. Maybe I could have 2 minutes.

Senator NUNN. Go ahead.

OPENING STATEMENT OF SENATOR PRYOR

Senator PRYOR. Mr. Secretary, we do thank you today for appearing before this Committee.

Secretary KEMP. Thank you.

Senator PRYOR. We also are very appreciative of what you have done thus far in your young tenure as Secretary of HUD. Mr. Chairman and Mr. Secretary, I think it was 8 years ago that finally the hostages in Iran were released. What we are talking about today is a new generation of hostages.

We are talking about a vulnerable population of the very old and the very young, living in public housing projects, that have to pay off gangs for protection, that have to pay off gangs for even the use of the elevator in that particular project. We know where the problems are, we know that we have to get to those problems, but we are talking about today one of the most severe situations, I think, that has faced our society.

I am sort of wearing two hats, Mr. Chairman. As the Chairman of the Select Committee on Aging in the Senate, we have to look at the huge number of elderly citizens, single, poor, vulnerable, who are living in these projects, who actually are in a very precarious hostage situation.

It is not just big cities. It is Monette, Arkansas; it is Little Rock, Arkansas; you have named some of these in your reports. We applaud you for your efforts and though I can only speak as one Senator, we are going to do everything we can to back you up and I know that you will help us as well.

Thank you, Mr. Secretary.

[The prepared statement of Senator Pryor follows:]

PREPARED STATEMENT OF SENATOR PRYOR

Mr. Chairman, I am delighted that the Permanent Subcommittee on Investigations is looking at the extent of the drug problem in public housing, and I commend you for holding these hearings. I wish to applaud Secretary Kemp for focusing attention on this serious national problem, and I am glad he is joining us today to testify.

I think we all agree that the tenants in public housing deserve to live in a clean and safe environment and not be terrorized by drug dealers and gangs.

As the Chairman of the Special Committee on Aging, I am particularly concerned about the effects that this rampant drug problem has on elderly inhabitants of public housing projects. Almost one-half of all public housing units are occupied by older Americans. Those elderly residing in public housing are usually poor, single women living alone, and are often minorities. In other words, they are among the most vulnerable of our Nation's senior citizens. One must ask how many of them are being held hostage in their apartments, living in fear of the unspeakable violence that is going on just outside their doors?

I am afraid that we are becoming hardened to the horrors that drugs are inflicting on our society. It is all too easy to say that those most victimized by the drug culture are those who are willing participants in it—that there are no innocent victims. Today, however, we will question that belief. Can we call an elderly person who has to lock himself in his bedroom every night so that he is not disturbed by his grandchild's crack-smoking friends who are using his apartment as a safe-house anything but an innocent victim? What about the elderly tenants of a Chicago housing project who had to pay gangs for protection so that they could use the project's elevators? Mr. Chairman, there are far too many innocent people whose lives are being torn apart by the drug markets and drug dealers in their neighborhoods.

Our elderly deserve better.

Arkansas's housing projects may not be as big as New York's, Chicago's or Washington's but, unfortunately, they share the same problems of drug dealing, murders, and violence. Just in the last two months, there have been at least three murders at Highland Courts Housing Project in Little Rock. This cannot continue and I know the Little Rock Housing Authority is taking action to fight the drug problem.

They have exercised the lease enforcement provision resulting in the eviction of 12 families from Highland Courts since last November. In addition, the Little Rock Police Department has applied to the Justice Department for a grant to provide

better security for the public housing projects in Little Rock, particularly Highland Courts. And soon, a Drug Awareness Program which will provide recreational activities for youths this summer will begin.

Fighting drugs in public housing projects will not be easy, but there are some promising activities underway in Arkansas to cope with the drug problem in public housing. For example, the HUD Area Office is sponsoring a "Drug Free Housing" seminar in North Little Rock on May 25 and 26. Public housing authority officials and owners of privately subsidized projects have been invited to attend to discuss ways to discourage the use of drugs with officials from the U.S. Attorney's Office, the FBI, and DEA.

Further, the North Little Rock Public Housing Authority manager, Bill Clements, has worked very hard to get the children in these housing projects involved in the Boys Club. In Searcy and West Memphis, the housing authorities have sponsored fairs and carnivals for the public housing children. And, I might add that the Monette Arkansas Housing Authority was singled out in Secretary Kemp's April 17 press release on efforts to improve security.

We, at the federal level, need to do all that we can support these efforts by state and local officials.

Senator NUNN. Thank you, Senator Pryor.

Senator Kohl.

OPENING STATEMENT OF SENATOR KOHL

Senator KOHL. I will just make one or two quick comments. I have been struck, since I have been here in Washington, by all the good things that democracy and the way in which we run our Government provide this country. But the one thing that concerns me is so seldom do we have situations in which a person is responsible, and takes responsibility, and accepts whatever that means in terms of success or defeat, and is willing to step forward and say, okay, I will get the job done and if it does not get done, I am responsible; if it does get done, I will take the credit.

In this particular situation with respect to drugs in our public housing projects, you are the point man. You are the person who can have an enormously positive impact on what is admittedly one of our most serious situations. I would like to hope that with your background, with your reputation for success and decisiveness that we can hear today and look forward to the kind of progress that is so very important and meaningful.

So, I am pleased that you are here and I have a tremendous regard for you and your background, what you have done with your life, and I think we can be very hopeful about having some impact on what is a most serious problem.

Secretary KEMP. Thank you.

Senator NUNN. Thank you, Senator Kohl.

[Senator Kohl's prepared statement follows:]

PREPARED STATEMENT OF SENATOR KOHL

I would first like to commend Senator Roth for scheduling this hearing, which addresses one of the greatest problems facing our nation: the illegal drug trade and its effect on millions of innocent Americans. Indeed, many public housing projects have become de-facto retail outlets for illegal drug traffickers. Their victims are the many innocent people who become involved in the drug trade themselves, or who become addicted to the drugs they peddle, or who are harmed or even killed by the violence which invariably accompanies drug dealing activities.

I am very pleased that Secretary Kemp has made the problem of drugs in public housing one of his top priorities. By turning the public's attention to the problem, and providing guidance and assistance to the public housing authorities in their efforts to combat drug trafficking, Secretary Kemp has taken important steps toward fighting this menace which threatens communities throughout the country. We

must continue to motivate community activists and public housing directors to attack this problem head-on. And we must provide more funding for law enforcement in our cities and towns. But we must also attack the problem at its core by improving the social conditions which allow the drug trade to prosper and grow in our public housing system.

Unfortunately, the federal government has allowed the drug trade to invade public housing. For the last eight years, funding for subsidized housing has steadily declined, allowing the buildings to fall into disrepair. Funding for educational and social programs has dropped drastically, while job opportunities for inner-city youth have all but disappeared in some areas. We have seen growing numbers of high school dropouts and teenage pregnancies. It's no wonder that the drug dealers have moved right into our public housing projects and set up shop—we might as well have invited them. Now we must work together to reverse this trend and make it absolutely clear that drug dealers are not welcome in public housing.

Senator NUNN. Senator Lieberman.

OPENING STATEMENT OF SENATOR LIEBERMAN

Senator LIEBERMAN. Thank you, Mr. Chairman, Mr. Secretary, and thank you, Senator Roth, for your leadership in putting these hearings together.

I have a statement which I ask to be included in the record.

Senator NUNN. Without objection.

Senator LIEBERMAN. Thank you, Mr. Chairman.

Just briefly to make some comments from my experience in Connecticut which probably relates to yours, Mr. Secretary, I do not know of any group of people who are more upset about the problem of drugs in public housing and more want to do something about it than the people who live in public housing, because they are the victims.

As Senator Pryor just said, they are hostages. Too often, they are barricading themselves with their children in their apartments for fear of literally getting caught in the cross fire of the drug war. They understand that they have been placed, by no choice of their own, in the middle of that war in a sense that goes well beyond where they live.

Every police sting operation in Connecticut that has been located in a public housing project has arrested more people, not only from outside that housing authority project, but from outside of the city in which it is located. People are coming in from the suburbs and from other areas into public housing areas to buy drugs and that is another way in which the innocent majority of residents of public housing are victimized.

There is some reason for hope now and I think, Mr Secretary, that you are part of the reason because of the new leadership you bring to the Department, the obvious concern you have, the belief and the willingness you have to get tough because until there is toughness and placing of responsibility and a sense of accountability in those who are running this war, we are never going to win it.

I think, in that sense, in a broader sense than Secretaries in your position have before, you have genuinely become an advocate for tenants rights, because the tenants have a right, above all else, to live in a safe surrounding.

I think the other reason for optimism is the tenants of public housing themselves. I can tell you, in Connecticut, that they are organizing. They are organizing patrols, they are opening up halfway houses in public housing projects, they are demanding that the

public housing authorities invest in security systems. So long as that begins to happen, then there is some hope that we can beat this problem.

I want to suggest to you, too, Mr. Secretary, that some of the things we do for housing may affect this problem in the sense that drug dealers are attracted to vacant units in public housing projects. If we can fix up those units and fill them, that is one less place that a drug dealer is going to be.

So, I welcome you and I thank the Chairman. I welcome the other witnesses today and I look forward to this hearing and the results of it.

[The prepared statement of Senator Lieberman follows:]

PREPARED STATEMENT OF SENATOR LIEBERMAN

Mr. Chairman, thank you for this opportunity to hear from Secretary Kemp, residents of public housing and other experts on the problem of drugs in public housing.

First, let me say that I know of no one more upset about the problem of drug dealing and crime in public housing than the people who live in public housing. They are at the front lines of the drug war, and they and their children are victims of the war. They are hostages to the drug criminals, and we owe it to them to do all we can to rid their neighborhood of drugs and the crime drugs engender.

I've met tenants of public housing back in my state of Connecticut, and I can tell you that they are absolutely determined to push the drug pushers out of the projects. They don't want to live with the crime and the shootings, and they are terrified about the proximity of drugs and drug dealers to their kids. The problem here is not public housing itself, and it's not the vast majority of public housing tenants. The problem is our inability, or unwillingness, to purge public housing of the drug scourge.

For the fact is, public housing has become a magnet for drugs and crime. In Connecticut, more than half the people arrested in drug stings at public housing projects are from other neighborhoods, or the suburbs.

Fortunately, I believe that's about to change, thanks to the persistent advocacy of public housing tenants, and thanks to the leadership of people like Secretary Kemp, who, by helping communities take action against drug dealers in public housing, has become, in my view, a leading advocate of tenants rights.

When we speak about tenants rights, we should make clear that one of the most basic tenants rights is the right to live in a neighborhood free of drugs and crimes. If you fight to protect a drug dealing tenant from eviction, you are, in essence, fighting to keep all other tenants prisoners in their apartments.

There is reason to be optimistic, however. In public housing authorities and projects across the country, innovative ideas are being employed to attack the drug problem. In Connecticut, the Housing Authority of New Haven runs a half way house for Authority residents who have completed treatment for substance abuse; has installed intercom and alarm systems and has made vacant units more secure; and has invited city police to use apartments for sting operations, and to make arrests for trespassing on public housing property.

The tenants at a Hartford project have put together a "building captain" program to target drug fighting efforts. The New British Housing Authority gives space to a neighborhood group to coordinate anti-drug programs.

I'm intrigued by other programs that government might encourage. For example, I have a bill to target housing funds to the rehabilitation of existing public housing that's vacant, or in need of serious repair, so that we might keep drug addicts from using these locations as crack houses, or for other illegal activity.

We might also consider redirecting some of the proceeds of drug asset forfeiture actions to rehabilitation of the same housing project where the asset forfeiture took place. That would be justice at its purest.

Perhaps we might consider using some vacant public housing units as drug treatment centers. We desperately need more treatment centers, and one of the big problems we have is siting such centers. Putting treatment centers right where a crack house may now exist would solve two problems in one stroke.

I look forward to hearing from Secretary Kemp, residents of public housing in Washington and Chicago, directors of public housing authorities, and others with expertise in the field. I hope that we can arrive at some consensus about how the gov-

ernment might best come to the aid of the people victimized by the drug problem in public housing—the residents of public housing themselves. Thank you.

Senator NUNN. Thank you, Senator Lieberman.

Senator Levin.

OPENING STATEMENT OF SENATOR LEVIN

Senator LEVIN. Let me join in welcoming the Secretary. I am delighted that you visited Michigan on Monday. It not only is going to take a tremendous amount of will and rhetoric to fight the problem of drugs in public housing, it is also going to take some resources.

We have got to put resources where our rhetoric is and I am very interested in what budget requests you have made, and which requests the OMB has not been able to approve and which OMB has been able to approve; my concern is that we have the resources necessary to carry out the kinds of very strong activity—police and surveillance activity—to stamp out what is indeed a scourge, not just in public housing, but in so many of our communities.

Senator NUNN. Thank you, Senator Levin.

Mr. Secretary.

TESTIMONY OF HON. JACK KEMP, SECRETARY, HOUSING AND URBAN DEVELOPMENT,[1] ACCOMPANIED BY MARY BRUNETT, SPECIAL ASSISTANT TO THE SECRETARY, AND STEVE BRITT, OFFICE OF GENERAL COUNSEL

Secretary KEMP. Thank you.

Senator Nunn and Senator Roth and all the distinguished members of this Committee, let me say what a pleasure it is to be here, although the topic is one of tremendous concern to each and every one of you. I commend the tremendous staff work that has been done, Senator Nunn, by not only you, but by Senator Roth and his very able investigative staff.

I want to say that I appreciate the opportunity to appear. I realize the subject is not one that we would normally say that you have to express appreciation for, but it is something that the American people and I think, as Senator Lieberman, Senator Levin, Senator Kohl, and Senator Pryor, as well as you, Mr. Chairman, and Mr. Ranking Minority Member, said, the tenants themselves are concerned about.

I have never seen a group of people more interested in a subject and more desirous of Federal help than the tenants themselves. I wish that I were here today just on the subject of housing or urban development.

I told President Bush when he chose me for this job that I did not want to be the Secretary of Vouchers, although I support the idea of vouchers, but I wanted to be the Secretary of Housing, I wanted to be the Secretary of Urban Development, and I wanted to be a Secretary that was involved in a war on poverty and the conditions that cause, in so many cases, some of the conditions that lead to despair and hopelessness and those existential attitudes

[1] See p. 79 for Secretary Kemp's prepared statement.

that I think result in pathologies that we are seeing in some of our areas of the country, particularly urban.

But not to make a mistake, it is happening all over the country. So, let me say that I think it is an important issue and I appreciate the effort that you have made, Bill and Sam and your colleagues on this Committee.

Number two, I do not want attention to solely be focused on the problem because as Senator Levin pointed out, yesterday, Mr. Chairman, I had the opportunity to be in Michigan. I was in Flint with a young PHA leader in Flint by the name of Ken Simmons. We appeared before a group of residents of a public housing project in Senator Levin's home State.

Incidentally, Senator, they were very appreciative of your efforts on behalf of tenant management and tenant rights. But I was struck by the fact that these women—as you said, Mr. Chairman and Senator Roth, they are, in the main, women with children who are struggling day to day, and they do not deserve to get the impression that they are anything but victims because they are victims.

Most men and women and children in public housing today in America are decent, law-abiding, hard-working, striving for a piece of the American dream that is very much on the hearts and minds of all of us today, and certainly President Bush who has talked about creating an opportunity society. They want the opportunity to raise their children with dignity and justice and a drug free environment.

I must say that I have been struck, Mr. Chairman, by my trips in public housing. I have not been sitting up in my office, Mr. Chairman. I have been out on the streets and out in the cities, from Overtown, Miami to Alexandria, Virginia to the District of Columbia to Baltimore to Philly to the South Bronx to Flint and Detroit, and yesterday, in Cabrini Green, Rockwell Gardens, LaClaire Courts——

Senator NUNN. And Atlanta?

Secretary KEMP. And Atlanta. Sure have, Mr. Chairman. Glad you noticed, Mr. Chairman. I was afraid you had forgotten. [Laughter.]

But I have been struck by the counter-movement that is taking place in our country. Yeah, there was a shooting in Wisconsin, as Senator Kohl would recall all too unhappily, and a shooting in Alexandria. We have had a picture in the Washington Post of a woman in Potomac Gardens—and I do not know what would drive someone to this because it is not part of our normal environment—but a woman in Potomac Gardens shown in the Washington Post, on the front page of the Metro section, putting heroin into the veins of her neck. How is it possible that that could happen? And certainly in public housing.

So, my comments today, Mr. Chairman, are to encourage this Committee to further investigate not only the criminal conduct that is taking place and how to remove it, but also the conditions that lead to some of these pathologies. I am interested in this.

I do not know that I come with all the answers, but I want people behind us and who might be watching or listening or reading the record to know that this is a President who is concerned

about this issue. It is a Secretary of Housing who is concerned about this issue. And I do not speak just from the ivory tower of HUD in the 10th floor. I speak, Mr. Chairman and to all of our distinguished Senators on this Committee and your staff, from a position of having, at least in the 3 months or 4 months that I have been there, trying to get out and talk and listen and identify with folks who are there.

From that standpoint, I would like to also say—I think Senator Levin pointed out—the rights—each and every one of you did—the rights of the tenants. They are good and decent people.

One of the most interesting things happening—before I begin my formal remarks—I would like to insert them for the record and then I will just summarize, Mr. Chairman—one of the most interesting things is that the residents themselves are attempting to gain control over not only their own lives and their own families, but their own communities.

Whether it is called a project or a neighborhood or a community or just generically public housing, there is a movement today on fire in every single—well, I cannot say in every single—but in many public housing areas of America, from Kenilworth-Parkside in the District of Columbia to Carr Square to Cochran Gardens in St. Louis to Cabrini to Flint to Detroit to Atlanta to Overtown and Liberty City, women in the main, residents who are beginning to manage and have the hope of someday owning, if not totally managing those public housing areas and communities.

I hope we can also stress this very positive thing because I saw it in Flint; I saw it yesterday in Cabrini and LeClaire Court. So many of the things that you have been talking about, from your experience, Dave and each and every one of you, I have been impressed with what is happening in public housing. I think we should encourage the positive and, of course, put an end to the criminal activity.

Let me say, I want to be tough on drugs, but I also want to be tough on due process. Let me assure this Committee that, yes, we need to be tough on due process, but we also—and tough on drugs—but we also have to be tough on what I think most of us recognize is the responsibility of people themselves to take an active role.

Some of the security efforts that are being made are coming from the residents of public housing and outstanding public housing officials that I have seen and have listened to in this country. Yours, Senator Levin, in Flint, Ken Simmons; on the border of Wisconsin and Chicago, Vince Lane, an outstanding public housing official; and in Omaha, Nebraska, a young man by the name of Bob Armstrong. I have been listening and talking to them.

So, it is in that context, Mr. Chairman, that I would like to just say that I do not want to be the Drug Czar, Bill Bennett is the Drug Czar. But I have not, in my few days or few weeks in office, had an issue that has been brought to my attention with more force and more power and more passion than this issue.

I think all of us—I heard bipartisanship. This is not a Republican issue. It is not a Democratic Party issue. It is an issue that we face as Americans and I want to assure you, Mr. Chairman, your Committee members, Mr. Chairman, I want to assure the critics—

and I have asked on McNeil-Lehrer and I have asked on other television shows, for the ACLU or tenants rights organizations to please come in and work with us, as Vince Lane did in Chicago with the ACLU in Chicago, to work out some modus operandi by which we can find a solution that protects both the due process and the rights of the tenants, but at the same time, is tough on drugs and tough on the responsibilities of families and parents to control their children and where they are out of control, then I think the State, unfortunately, has to step in.

Very quickly, I was going through Richard Allen public housing project in Philadelphia several weeks ago when a woman showed me a Head Start program and we walked out of that Head Start program, which was so promising, and saw, 20 feet away, four or five dealers of drugs at high noon on a cold February day and, I must say, never having experienced something like that, I thought they were warming their hands over a pot-bellied stove.

Virginia Wilkes, the young tenant management leader there in Richard Allen, said, Mr. Kemp, they are not warming their hands over a pot-bellied stove. They are the crack dealers of Richard Allen. Get them out of here, Mr. Kemp. Can you not help us? I said, where are the police. She said, they are afraid to come in here. I said, where is the PHA. She said, they, too, have been afraid to come in here.

And I am not bragging about it, Mr. Chairman. I do not take any special pleasure in talking about this. I was there and I vowed that I would help Virginia Wilkes or Kimi Gray or Bertha Gilkey or the women that I met at LeClaire Court yesterday, where a Democratic mayor of Chicago and a Republican Secretary of Housing joined arm in arm in an effort to try to get LaClare Courts cleaned up and Cabrini cleaned up.

So, let me just say that on behalf of Virginia Wilkes and those tenants who are living in conditions, that I think they deserve dignity and justice and a drug free environment. I make this testimony today. You are going to hear later from some real experts, the tenants themselves, as Senator Roth pointed out. You are going to hear from Vince Lane, one of the most outstanding public housing officials in the country. And I hope you will listen to Bob Armstrong from Omaha.

Incidentally, Mr. Chairman, I want to mention a group doing something about this problem, a group of women called Urban Women, Inc. It is led by Bertha Gilkey of St. Louis. She happens to be a woman of whom I have become very fond, like Kimi Gray here in D.C. She has formed an organization that is going around and training the residents of public housing around the country.

I wish you had been in Wisconsin before they had that murder, Senator Kohl, a few months ago that was so tragic. Or I wish you had been in Alexandria. But it is not too late to do something about the other public housing areas of America.

She went into what is called Miller Courts. They called it Killer Courts. Miller Courts in Trenton, New Jersey was called Killer Courts because of the murders in Trenton, New Jersey. And she got the women activated, energized, organized and with a little help from a HUD grant to help train tenant residents and tenant managers, it has changed its name back to Miller Courts.

Teenage pregnancy has gone down; welfare cases have gone down; the crime has gone down; and it is not unlike Kenilworth-Parkside. Where we can encourage this, we ought to do it. I announced yesterday in Chicago a $2.5 million grant of HUD money. Senator Levin was asking about monies at the Federal level. I wish we had more to encourage this type of tenant—they are the ultimate answers, with our help, to this problem, and they need to be included in the solution as opposed to being left on the sidelines when we look for these answers.

I asked every PHA, Mr. Chairman, in the country to tell me what they were doing in 30 days to get rid of drug dealers. According to the 1988 Act, which you alluded to and Senator Roth alluded to, it is my requirement, as the Secretary of Housing, to fulfill the conditions of the 1988 Drug Act, to make sure that we are doing everything we can to remove, from the units of public housing, people who are using, abusing, trafficking, dealing in drugs.

But I want to say once again, we cannot do it without due process, to those who are concerned about due process, as we should be as Americans. I want to assure those who might be listening or reading the record that we have to be tough on due process.

I have only suspended the grievance procedure that HUD puts those public housing authorities through when we added a layer to due process overlapping the courts' process, which was lengthening the grievance procedure up to 12 months. And we had strangled the ability of the public housing authorities and the courts to be able to get rid of what I consider to be a criminal element.

Now, when I say criminal, they may not be proven in court criminal, but I think there has to be court due process and where there is due process, I think I would be willing, as I have in Boston, as I have been in Alexandria, to suspend the grievance procedure of HUD where there is due process at the court level.

Now, having said that, I announced, with Director Bennett and Attorney General Thornburgh, a 10-point program—real quickly. We suggested that we tighten the security. Now, someone said, well, Kemp, you want to put up fences around every public housing. I do not want to put up fences around public housing. Someone in Flint said, do you want to put bars around public housing. I do not want to put bars around public housing.

But when you talk about security, on a case-by-case basis, with the tenants themselves cooperating with the public housing official and the Senate and the Congress and HUD, I would like to see us do what Bob Armstrong is doing in Omaha, what Vince Lane is doing in Chicago, what Ken Simmons is trying to do in Flint, issue some form of an identification card.

Maybe it will not work in every instance, but where possible, why should it not? You cannot go into some fancy apartment buildings in big cities today without identifying yourself. It seems to me we ought to have the same respect for the rights of the tenants in public housing that we do for the security measures being taken, in many cases, in some high rise private housing, apartment houses.

We need to repair the public areas around the public housing. I would, as I said, like to waive unnecessary HUD lease and grievance rules where we want to evict tenants who have been engaged in illegal drug activities.

But let me say to you again, Mr. Chairman, I would not do it without my General Counsel and our legal counsel making sure that there is due process at the State and local level. We just do not want to duplicate that process. We have asked the U.S. Attorneys to seize the apartments of drug dealers and users and return them to legitimate, law-abiding tenants.

There are hundreds, and in some cases thousands, of people waiting for public housing. They deserve, I think, better than what they are getting in this process. We want to enforce the housing code standards and I think Senator Levin brought up the amount of monies it is going to take to lift the quality of life and the quality of housing in public housing.

To Senator Levin and to all the other distinguished members of this Committee, let me say that not only have I asked for more money, I was accused of winking at the Appropriations Committee when they suggested that we needed more money. Some of my friends at OMB had fun with that wink, but the Washington Post reported that CIAP monies and drug monies that were talked about in the Appropriations Committee, I believe that President Bush, OMB, Director Bennett, his Secretary, Democrats, Republicans, the House and the Senate all are united on the idea that we should not take scarce resources from rehabilitating existing public housing and only use it for security.

So I would hope that in the disposition of the 1990 budget, as well as whatever happens in 1989, that some thought is given to the effort that we are trying to make in taking our scarce resources and using them in an effective way.

But as I told the residents in Flint, I think it is legitimate to take some of those CIAP monies—Comprehensive Improvement Assistant Program monies—and using them for the securitization, as well as rehabilitation of existing public housing.

I am a strong supporter, Mr. Chairman, of what has been growing in our country that I alluded to earlier—the idea of tenant management, urban homesteading. I know some people do not think it will work, but in Chicago, it is working. In D.C., it can work. And where possible, I think we should encourage it.

The Bertha Gilkey's and Kimi Gray's and Loretta Hall's and folks all over this country that want to manage and ultimately own as a cooperative—these tenant management leaders I think can be one of the answers to the drug menace in public housing.

I would like to see a hot line. I am a little bit hesitant about suggesting that this is an answer. It may be a tool. And we ought to be willing to use a hot line for the residents who, some of them, as someone pointed out in this Committee, Mr. Chairman, are scared to death.

I think Senator Pryor pointed out, in some cases, people have to pay a fee to get up an elevator, and they are afraid to say what their name is. So, it may be that a hot line can be used.

We ought to terminate the Section VIII subsidy, the rent voucher, for anybody who is convicted of a drug crime and bar them from subsidized housing. I did not know this at the time, but I learned from people in public housing that some people were using their Section VIII certificate, which is a voucher in effect, to move

to another project after they had been thrown out of one. That is ludicrous.

We ought to, as I said, use some of our modernization funds and operating subsidies to support the antidrug effort. I recognize, Senator Levin, that you and I want more monies for legitimate modernization and rehabilitation, but we have such a severe problem that part of the modernization and rehabbing of public housing is going to require us to take some security measures.

We need to be prudent; we need to be responsible about it, but I want you to know, sir, that I want to work with the Congress in finding a way to encompass this holistic approach to improving the quality of life, both of the structure itself as well as the living environment for those children and those families.

Finally, I smiled when I said this at the Thornburgh/Bennett conference, but I said off the top of my head, after watching a young family in Harlem start a baseball league for little leaguers in Harlem because the parent could not get their child to practice the piano, the mom made a deal with the son.

She said, well, you practice the piano and I will start a baseball league. I kind of laughed when I saw it on television that night. But she went out, all by herself, and in Harlem started a whole baseball league in Harlem for innercity, urban minority children, just to get her son to play the piano. That is a point of light, if you will.

I said on television—I said it on C-Span when I was testifying in the Thornburgh/Bennett antidrug effort, that would it not be nice if we could get the Boys' Clubs and the Girls' Clubs and the Boy Scouts and the Girl Scouts and Cub Scouts—get people to come into public housing and start to treat those children with the same respect that we treat the suburban children and to have the same hopes and dreams and aspirations for minority children in the innercity that our children, and that other children have had in the suburbs of America or in other parts of America, rural America.

I got a call from the Boys' Clubs and they responded, and I got a call from Don King and Michael Tyson and they want to help. I really think there is a movement that can be positively used to raise money to put football teams. Excuse me, Mr. Chairman, I am terribly biased, but I did not get this idea only from my own background. [Laughter.]

But Vince Lane and Bob Armstrong in Chicago and Omaha are interested in starting sports teams in public housing projects for boys and girls. I am convinced that we can make an impact if we give these children alternatives. Education is one—sports, recreation, a chance to grow up with the dignity and justice that goes along with being an American and treated with equal opportunity is another.

Well, let me just conclude, Mr. Chairman, by saying that I want to be tough on drugs, as we all do, and I want to be tough on due process, as we must be, and I want to be tough on individual responsibilities. That is why I am encouraging tenant management and urban homesteading.

I look forward to working with you, Mr. Chairman, and Bill Bennett and this administration and this distinguished Committee to make a positive impact upon the future of those people, families,

children, women who are living in public housing in the United States of America.

Thank you very much.

Senator NUNN. Thank you very much, Mr. Secretary. Your entire statement will be made a part of the record without objection.

I am going to recognize Senator Roth first this morning. Senator Roth.

Senator ROTH. Thank you, Mr. Chairman.

First, let me once again congratulate you for your actions since you have become Secretary. I think it has been very refreshing and very positive to see the efforts that you have made to do something about creating a safe environment in public housing.

As you have said, you want to be both tough on eliminating drugs from public housing; you also want to be tough on protecting due process.

Because there has been some criticism made of you in your initiatives, particularly with respect to where evictions have been made, would you agree with me that really you have no choice, that Congress has mandated, has directed the Secretary of HUD to ensure that steps are taken to provide public housing that is safe from drugs?

Secretary KEMP. Well, Senator, we want a policy in our country in which, on a case-by-case basis, we can look at each individual case on its own merits. Let me say to you that first of all, I want to emphasize that I am not about to repeal the due process. First of all, I cannot, and you have charged me with the responsibility of both fair housing as well as the 1988 enforcement of the Comprehensive Drug Act.

The public housing authority is responsible for implementing the lease, which is not designed by Kemp or even Nunn and Roth, it is designed at the local level, they are different in different places. But every lease says that for this type of behavior, one can be evicted.

Now, the problem comes down to what do you do with a 26 year old—I was reading William Raspberry the other day about this very case that you asked about—and one woman had a 26 year old son. Now, he is an adult. Anybody on this panel would recognize that he is an adult and if he were caught selling drugs to an undercover agent, it seems to me, on the face of it, prima facie evidence going through the court, that is a criminal act for which his lease should be terminated—I think the family was evicted.

I personally believe that that mother should have been doing something to make sure that that son knew, up front, that where she could not control him they could have their lease terminated. The PHA was in a terrible situation. What do they do with that family?

Senator ROTH. Are you not saying that the family has to begin to take some responsibility for the actions of their members?

Secretary KEMP. I am saying that and I am also saying that in the case of that tragic circumstance, that young man who was arrested for dealing drugs had to be evicted and where he was being allowed to stay in the unit, what was the PHA to do? They went to

court, and I want to remind everybody that due process must be followed.

The most difficult problem for me is what do you do with a family with young children? There again, I want to say, on a case-by-case basis, I think we have got to be willing to look at every single case. But I cannot evict; the PHA cannot evict; ultimately, it is only the court and only the court, after due process, that can actually remove that tenant from that lease.

So, I want to assure this Committee that I want to keep my pledge to be tough on due process while being tough on drugs.

Senator ROTH. Again, I think it is worth repeating, because I think it is important that it be publicly understood what the legislation adopted last year intended—and I quote the Majority Leader, Senator Byrd, when he said, "In adding the amendment on public housing that public housing agents be given the added authority to evict tenants if they, their families or their guests engage in drug-related criminal activity."

So, on that side of the question, I think you are mandated by Congress to seek a safe environment for the residents.

Secretary KEMP. And it is in the lease, Mr. Roth, Senator Roth, that families must take responsibility for the people and the children in those public housing projects.

Senator ROTH. And what we are talking about here is a civil action and not a criminal action; is that not correct?

Secretary KEMP. That is right.

Senator ROTH. I think that is a very important distinction.

I may want to ask some further questions in this area, but I know the Chairman is going to limit time, understandably, and I would like to go to the question of resources because I think that is a matter of critical importance.

The problem, as you well know, is that we do not have enough money in almost every area at the Federal level, to attack the many problems facing this country. I would like to ask you what role you think the State and local Government is playing and should be playing with respect to resources?

It is my understanding, at least in a number of States with respect to public housing, their contributions are relatively limited, although sometimes substantial, particularly in law enforcement. What role should the private sector be playing in this?

One of our later witnesses calls our public housing, "warehouses for the poor" where they are out of sight, and out of mind. He suggests we ought to have a combination of trying to privatize, and trying to utilize the private sector in helping bring about this housing to a better level of contributing management, that State and locals should be doing more and that particularly, we could do more maybe with tax credits and so forth. Do you have any thoughts in this area, Mr. Secretary?

Secretary KEMP. Well, that certainly is a proper question and it certainly is broad enough to allow enough leeway for people to recognize that first of all, we cannot neglect public housing, we cannot neglect the urban poor, we cannot neglect these families that are growing up in an environment in which they desperately need help, and it has to come from the public sector, the private sector,

the profit sector, the non-profit sector, and from Federal, State and local efforts.

First of all, I want to commend Mayor Daley of Chicago for reappointing Vince Lane. That was, I think, a positive response to the tremendous effort that this public housing administrator had made in Chicago to clean up Rockwell Gardens and LeClaire Court and Cabrini Green.

Second of all, it is going to take operating subsidies of the Federal Government, which can be, in some cases, used for the drug effort. We can, as I said earlier, use CIAP monies and there is $3 billion in the pipeline. I have asked for $1 billion in fiscal year 1990, Senator Roth, and I think it is pretty obvious that more monies could be used in the CIAP program.

There exists an authorization for fighting drugs in public housing no monies for which have been appropriated, either in the supplemental of 1989 or maybe in 1990. I would like to see more monies in my budget for making an effort in this comprehensive area of fighting drugs in public housing and I would welcome the Congress taking action, either in the supplemental of 1989 or in the budget for 1990.

Let me make one other comment. I would hope that we not forget the point I tried to make earlier, Senator Roth, that we can encourage tenant management, this whole idea of urban homesteading, because these residents are really fired up to do something. I have seen them; I was there. There are many, many people around the country who want to engage in this.

At Cabrini Green—George Will wrote an article—I see the red light and I apologize, Mr. Chairman, but—is that for me or Roth? [Laughter.]

Probably me. It is probably me.

I was at Cabrini yesterday and George Will, if you remember, wrote an article in the Washington Post on Cabrini Green and said it was the Hobbsean—named after Thomas Hobbs who said that life by the year X would be short, nasty and brutish—he said public housing is a Hobbsean world of a nasty, brutish life that all too often is short.

It really touched you at the gut level in a very subjective way, and when I went to Cabrini yesterday, I have got to tell you—I wish Ted Koppel had been with me because Koppel spent 4 hours beating up on the District of Columbia or allowing people to beat up on the District of Columbia and did not allow much time for the types of things that are happening that are so positive at Cabrini.

I swore in, as Secretary of Housing, obviously de facto, security guards who had been organized by the women at Cabrini Green. There are three big projects at Cabrini. One is drug free; one is being tenant managed, Senator Roth; the other two are Hobbsean, but one is being cleaned up.

The woman stood up, Bertha Gilkey from St. Louis, who is head of this organization called Urban Women, Inc., that cleaned up Miller Courts and changed it from Killer Courts back to Miller Courts, and she told the women at Cabrini, we are going to do it, do not give up, I do not want you to give up, we are going to move to the next apartment project and we are going to move to the next and the next and next.

I thought, wow. She had more fire, more tenacity, more courage, more devotion to this cause, and frankly, if we can match her effort with just an ounce, a modicum of Federal resources, we ought to be taking Bertha Gilkey in every public housing—or Bertha Gilkeys, plural—into every public housing project in the United States of America. I do not want to give up on Cabrini. I do not want to give up on these areas.

I pledge to you, Senator, you help and give me the resources, and I think we can make a difference in the lives of these public housing areas of America.

Senator ROTH. If I could just make a short comment, Mr. Chairman.

I agree with what you are saying, Mr. Secretary. The point that I am trying to make, is that obviously you need more resources from the Federal level. At the same time, I think if we are really going to provide not only the safe environment, but the rehabilitation, the opportunity to make these homes instead of prisons, that we have got to tap resources at every level. The State and local governments have to become involved, to contribute, and the private side has to be responsive.

Secretary KEMP. I totally agree with you. I thank you for your question and your suggestion. Thank you.

Senator ROTH. Thank you, Mr. Chairman.

Senator NUNN. Thank you, Senator Roth.

Mr. Secretary, have we got any kind of analytical study or any kind of basis to conclude as to the number of crimes in public housing units related to drugs or violence committed by people who are tenants versus people who are temporarily on or near the premises that are involved?

Secretary KEMP. That is a fascinating question, Senator Nunn. I have only seen one report in the newspaper. I do not know that there is anything formal, other than the reports I have been getting from PHA's. I did see one in one of my reports. In San Francisco, 80 percent of all the arrests were from non-residents, people who were visiting public housing sites.

I would imagine you could draw the inference that it is in the high 60's or 70 percent of the crime is coming from outside sources, from non-residents of public housing. We are trying to assess it and take a more comprehensive look at it and I am just talking off the top of my head, but I did see one press report that 80 percent of all the arrests in San Francisco public housing were from non-residents.

Senator NUNN. We picked that up in a lot of our questioning of various public housing officials, that so many of the crimes committed are from visitors who come there temporarily. If that is the case, then the question of eviction becomes relatively less important in terms of a cure; does it not?

Secretary KEMP. Well, I do not think eviction is the only solution. I just think we have to be more judicious in the use of the eviction procedure, but as Senator Roth pointed out, families have to be responsible for what is happening on their premises, or happening with their children, and we have to look at it on a case-by-case basis. As you point out, Senator Nunn, it would be very important to have public housing officials and police presence.

The women in Flint yesterday, when I suggested that we give a retired policeman or fireman or an on-duty policeman some break on his or her rent in public housing in exchange for living in the public housing itself, the women—and I just said it kind of off the top of my head—the women applauded the idea of allowing the police, or some police presence, in public housing.

And the other day in Alexandria, Virginia—I do not know if you saw in the newspapers—the women were standing on the street applauding the police for coming in and taking these off the premises, non-residents of public housing back out of public housing. The women were applauding.

I think you have a movement today that wants to recapture public housing for the residents and get the criminal element out of it.

Senator NUNN. I agree with that, but I think eviction has its place, too.

Secretary KEMP. I do, too. I do, too.

Senator NUNN. The real complicated question, as you have already mentioned as there is not an easy answer to it, is what you do after you evict. You are going to have to have some coordinated policy with the other parts of the Federal Government. I am glad you are meeting with William Bennett because let us say you have an addict, and you find out there is an addict in public housing. It seems to me you have every right to evict that addict.

The question is, what happens then? Does he go out on the street and does he commit more crime and more crime? Do we have a place for treatment? One of our huge problems in this country is that we do not have treatment when we do find someone who is addicted, and so much of the criminal activity—and selling—comes from people who themselves are hooked.

So, we have a whole circle of things we have to do. The same question on people that are evicted. What do we do once they are evicted with small children? You have already made mention of that. Do we then get in touch with the homeless people? We are trying to spend money in the Federal Government to do something about the homeless, and you get small children out there.

Somebody else in the Federal Government is going to have to put them somewhere and they are going to be wards of the State or the Federal or local Government. So, you have a whole circle of things that this provides when you take civil action.

When you take criminal action, of course, the criminal goes to jail or does not go to jail—one or the other, but in civil action, it raises all sorts of other questions, even beyond due process, and assuming due process, and I know you are emphasizing that.

Have you got any kind—I know you asked for a survey. You got a survey of, I believe, about 1,000 local housing authorities. Have you gotten their responses and have you got any kind of summary of that anywhere?

Secretary KEMP. Yes, and it is part of my formal testimony and I would submit it for the record.[1] We have asked, I think, 3,100

[1] See Exhibit 2 on p. 189.

PHA's to respond and we have responses from over a third so far. There has been tremendous cooperation by the PHA's, Senator, and I would be glad to provide a formal response to the Committee about what we have learned and what they are suggesting.

I want you to know, sir, that I have tried to compile those recommendations, not only by my first-hand account of talking with PHA officials, but also from the letters that I have received from them.

Senator NUNN. Well, if you would kind of keep us up to date on that for the record as we go along here.

Secretary KEMP. Be happy to.

Senator NUNN. How about Operation Clean Sweep? We have heard a good bit about that. I believe Mr. Lane of Chicago—you mentioned his name several times—do you have any kind of analysis of how much good that has done in terms of over a period—not of the first few days—but of weeks, months? Do we have any kind of analytical record of the Clean Sweep results?

Secretary KEMP. The most aggressive use of Clean Sweep began in Chicago, I believe, with Vince Lane. He is here today, to talk about that.

Senator NUNN. We will hear from him directly, but I just wondered if HUD has any kind of analysis.

Secretary KEMP. Right. I visited a Clean Sweep public housing project in Chicago, Mr. Chairman, Rockwell Gardens. It was like night and day. In fact, I was reminded of Dickens, the best of times and the worst of times, because in one element, I climbed up into the third floor of a public housing area of Rockwell that had graffiti and not since I had visited the Soviet Union and saw public housing in the Soviet Union have I seen such decrepit conditions.

Then we went across the street with Gertrude Jordan, my regional administrator in Chicago, an outstanding young woman, and also Vince Lane, and saw what Operation Clean Sweep had done. The graffiti was cleaned up, the elevators were safe, people literally had signs on their T-shirts and it was not just for Kemp that they were doing it.

It was a day-to-day operation. You could sense the dynamism of that part of Rockwell Gardens that had been cleaned up through Clean Sweep. And I am sure you will talk to Mr. Lane about working with the people and tenants rights organizations and the ACLU, but in Chicago, the ACLU cooperated with Vince Lane on Clean Sweep, which is interesting.

I have been begging for help from tenant rights organizations to come into HUD and give me some ideas as to how we can better carry out the mandate of the 1988 Drug Act, as Senator Roth pointed out, and so far, all they do is criticize and say that anybody who talks about this is grandstanding. I do not consider this grandstanding at all. I think it is a fiduciary responsibility that we have.

Senator NUNN. Is there a way—and this is my last question because I see the red light on, but just very briefly here—is there a way to utilize young people in volunteer efforts to help the security agents and law enforcement authorities, and I am not talking about a vigilante squad or anything of that nature.

But I am saying that it seems to me that if you give young people a meaningful, positive task in helping monitor this kind of

activity and working with security guards under the proper authority, that it might have a positive aspect.

Secretary KEMP. I appreciate the sensitivity of your question because it has a profound premise and it could also lead to some vigilante type action. So, I think it is important, Mr. Senator, to have young people involved. I saw in Chicago, and other areas, young boys and girls with T-shirts that show they were part of the solution, not the problem.

I think there is. But I want to encourage once again, Senator, to consider this idea of encouraging the tenants themselves to form management organizations and councils. Resident management ideas have a profound impact upon the behavior, the attitude, the quality of living in public housing, and where they themselves, working with us at the Federal level, can begin to take an interest.

You see the children are involved and you see these security guards that I saw at Cabrini who were sworn in to be security guards. They had so much pride in their uniform and they greeted me like I was the first person ever to express any interest in their lives from outside. I thought that was a disappointment to me to think that somehow they feel like they are the forgotten frontier.

We cannot forget them, as you suggested earlier, and I think young people can play a key role, although I do not have the specifics to answer your question.

Senator NUNN. I would like to think through that with you as we go along. What I mean is, the young people who actually live there, people who have a stake in their communities.

Secretary KEMP. Right, that is what I am talking about.

Senator NUNN. My time has expired. I want to go by the early bird rule here. Whoever arrived first, and I am not sure who that was. Was that Senator Kohl? That seems to be the opinion.

Senator KOHL. Thank you.

Well, I would like to explore and listen to your opinions on whether or not we need to be looking at the problem itself with respect to our housing projects and the problems within the housing projects like drugs, or whether those are just symptomatic of larger problems in our country: the problems of poor education, the problems of drugs in our country, the problems of women who are sole supporters and working without any day care opportunities in our society—all the problems of our society that we are so concerned about, the social problems.

Are they not concentrated, to an extent, in our housing projects? Do you not see them manifested there?

Secretary KEMP. I think you see manifestations of the problems, obviously, and I think if you and I had all of the answers, obviously we could afford to be a little more smug about this. I do not appear here in any way smug or arrogant. I am seeking for answers just like you are, Senator Kohl, and I appreciate the bipartisan support on this Committee for the efforts that we are trying to make.

I think one of the disappointments I had on the Koppel show was that so many people seemed to have the answer, either left or right, as if it were handed down from on high. I do not think that is as simple as it sounds. There is a very profound pathology here at work.

But at the same time, we do know that if our society deteriorates—I want to be careful how I say this and I am speaking just off the top of my head which is where I get in the most trouble—if you have no-fault insurance, no-fault crime, no-fault divorce, no-fault drugs, no-fault, no-fault, no-fault, and you just keep blaming society, pretty soon, society itself is not going to have the wherewithal to punish anybody because there is no way you can blame anybody in a society that blames everything on society.

So, I think Senator Roth made a key point when he suggested that families and parents and individuals must be responsible for their behavior. We live in a society, with Judeo-Christian values, which supports the idea that people obey the law, either because they love the moral code, they love the Ten Commandments, or they fear punishment, or a little of each.

Where any of those are in serious disrepair, you are going to have a case of anarchy and I do not want to say that anarchy is in public housing because, very frankly, I do not think it is. I think it is an attitudinal problem first, that ultimately reflects itself in behavior.

But having talked about that—we talk about punishment, we talk about behavior and responsibility for behavior—I think society does have a responsibility to help create the conditions where some of these frustrations, some of this despair, some of the joblessness and homelessness and hopelessness is turned around.

I agree with Jesse. We have got to give people hope. What is hope? Education, a job, home ownership, house, a chance to climb the ladder that we call the American dream, and where that is non-existent in the urban areas of America, I think President Bush has really charged me with the responsibility of trying to turn around some of those conditions.

So, I think we can have an impact, positively, but at the same time, I do not want to diminish my respect for the traditional value that people have to be responsible for the conduct of their own behavior. We need both.

Senator KOHL. I think that is true and I agree with you.

Secretary KEMP. People have to know that we care, and I think that is important in some of our urban areas and some of our public housing. I was the first Federal official that some of those folks had ever seen in a public housing project, and I do not say this with any degree of braggadociosness. I just say it with a sense of despair, that all too many Federal officials have neglected both the urban environment as well as public housing.

Senator KOHL. I agree with that. My concern is that the drug dealer who cannot sell his wares in the housing project just will move down the street. Is that not what is likely to happen or what most often happens? If he cannot sell his drugs on this corner, he will move to the other corner. And it will not eradicate the drug dealer or the customer because you can buy the product on one corner or another.

Secretary KEMP. Yes, unfortunately, that happens. I really think we need more police on the street. I really believe that we need folks in public housing who can help bring some respect for law. I want to help the residents, but you are right, they chased the drug

dealers out of Kenilworth-Parkside and they went to Potomac Gardens. You are right.

So, we need both sides of this equation. We need help to the residents themselves, and we also need a vigorous effort to enforce our laws and, as Senator Nunn pointed out, we need rehabilitation, we need education and prevention. But there are some who will choose deviant social and civil behavior and there has to be punishment as well.

Senator KOHL. Thank you. Thank you, Senator.

Senator ROTH [presiding]. Thank you, Senator Kohl.

Senator Lieberman.

Senator LIEBERMAN. Thank you, Senator Roth.

Mr. Secretary, I really appreciate your answer to those last couple of questions because to me, it strikes just the right balance of compassion and toughness. Part of this problem, after all is said and done and all we try to do with law enforcement, is a loss of values and a loss of self-discipline, a loss of respect for the law. I think it is important for people in your position to bring it back to those basics and I thank you for doing that.

Let me just ask a few questions. Going back to the whole eviction process, just for my clarification, do I understand that when we talk about the eviction process coming into play for a drug-related crime of a person who lives in a public housing unit, does that need to be conviction for drug dealing or can it be for drug use as well?

Secretary KEMP. The due process I alluded to must prove—it is civil, not criminal.

Senator LIEBERMAN. Right.

Secretary KEMP. But the due process through which they must go must prove the facts of the case before they can be evicted, but it does not have to put them in jail. In other words, the court is in eviction process, not a criminal procedure.

Senator LIEBERMAN. Right. But the crime that can engender the process does not have to be drug dealing; am I right?

Secretary KEMP. No.

Senator LIEBERMAN. It can be drug using.

Secretary KEMP. Yes.

Senator LIEBERMAN. Okay. That is an important point.

Secretary KEMP. In some cases, believe it or not, it is easier to evict people for antisocial behavior, in terms of their noise-making, than for using or dealing drugs.

Senator LIEBERMAN. Why?

Secretary KEMP. That is something that we cannot afford to allow to happen.

Senator LIEBERMAN. Why is that true?

Secretary KEMP. Well, just the way, unfortunately, the laws against the use of drugs has proceeded. They have deteriorated to a point where there was not enough of an effort—and I am not saying that I have turned it around or Bennett or Bush or Democrats or Republicans have turned it around.

But I think the people themselves now want a greater effort to be made and I think there is a genuine national concern that we have reached a level of—I do not want to say epidemic proportions—but I think cancer was used by Senator Pryor. It is cancerous in our society and I think we have got to do something.

Again, I do not want to suggest that I am the Drug Czar and I do not think it is all in public housing, because unfortunately, as I said in response to Senator Nunn, people are using public housing—very few people are using it to attract customers from the suburbs and from other parts of the community. If they are driving in there in a BMW, I think we ought to take the BMW.

Senator LIEBERMAN. Absolutely, absolutely.

Secretary KEMP. I think there ought to be some real penalty for those who live in the suburbs, who drive in to an area to take advantage of a community, and we ought to be as tough on them.

Senator LIEBERMAN. I absolutely agree and I just repeat again, in Connecticut, every drug sting that has been carried out in a public housing project has arrested a majority of the people who come from the suburbs and not from the project and not even from the city.

Let me ask you about that BMW. As you know now, Federal law and regulation allows the forfeiture of implements of a drug crime, including a car, and allows them to be sold and the money to be turned over to law enforcement authorities.

What would you think of extending that to allow the proceeds if a BMW is seized in a public housing authority, to be turned back to the public housing authority for some kind of antidrug use? To me, it has a poetic justice to it.

Secretary KEMP. Well, I do not want to give a plug to BMW because there are a lot of great American cars made in Buffalo, New York.

Senator LIEBERMAN. Absolutely.

Secretary KEMP. I think these monies—we do need more monies for this effort, and I do not want to only give the impression that we are fighting drugs on the demand side. We have got to fight it on the supply side and on the conditions of society that lead, unfortunately, to antisocial behavior. But I think it would be a good idea, Senator.

Senator LIEBERMAN. One final question. I do not want to take too much time. And that is the whole problem of vacant units in public housing. My sense in Connecticut, anyway, is that those become headquarters for drug dealing on a regional basis.

How significant a priority is it for you, as Secretary of HUD, to repair and fill up or knock down those vacant units?

Secretary KEMP. I asked the other day how many vacant units there were in the country in public housing, and I am going to use a figure—and I am willing to announce up front that it is just a ballpark figure—but someone said over 70,000.

At Richard Allen, I saw boarded up public housing units that either should be totally rehabilitated, which I would like to pursue because there are people on public housing waiting lists, and there is a stock there available that should be raised—I do not mean raised, but the quality of the living standards should be improved.

But where it is impossible to do so, I think they should be totally removed from any usage because you point up a very serious problem, the drug user or the crack dealer or the trafficker may get into that type of boarded up environment and use it as a warehouse or as a place from which to undertake his or, unfortunately, her activities.

Senator LIEBERMAN. Do you have any idea what percentage that 70,000 represents of public housing units in America? To me, it is an absolute number, it is large enough, it is a dramatically large number, a lot of places from which drugs can be sold or troubles can occur. But I am just curious about what the percentage might be.

Secretary KEMP. I am kind of groping here at the table because I do not know.

Senator LIEBERMAN. No problem.

Secretary KEMP. I will certainly find out for you and get you an answer.

Senator LIEBERMAN. Appreciate it. Thank you again for your testimony.

Senator ROTH. Senator Pryor.

Senator PRYOR. Yes, Mr. Chairman, thank you. I do not have a question, but I would like to make one or two comments.

Mr. Secretary, I think about 11 times during your very educational presentation this morning, you affirmatively brought up due process and due process rights. I am a big believer in due process. I think that in the context in which you discussed them the due process rights were the rights of the accused or the tenant that may have to be evicted. That is, at least, the perception I had; is that correct?

Secretary KEMP. Well, the only person that you can evict is the actual tenant on the lease. But the tenant who is on the lease who allows certain activity to take place in that unit, you have got to go after.

Senator PRYOR. Well, I appreciate your sensitivity to due process and I think all of us do, but due process also flows to those law-abiding individuals who live there, who are today hostages in this third world of barbarism here in our own country. I am just hoping, maybe a gentle suggestion, that as we talk about due process, as we talk about fundamental rights, that we will give at least equal emphasis to that area of our population and segment of the population that is most vulnerable.

The second comment, Mr. Secretary and Mr. Chairman, when we seize that BMW, does that go to the Federal or the local officials—those proceeds?

Secretary KEMP. I assume the Feds.

Senator PRYOR. Well, Mr. Secretary, and I know you are not the Drug Czar——

Secretary KEMP. Could you change that to a Chevy or a Ford?

Senator PRYOR. Or a Ford pick-up or something.

Secretary KEMP. Do not forget Lee Iacocca. [Laughter.]

Senator PRYOR. Frankly, I just think that we are emphasizing money flowing to the Federal side of this issue and not down to those local law enforcement agencies. I know in the 1988 drug bill, we beefed up some money for the National Guard. I believe, Senator Roth, this may have been your amendment, we gave more money to the Justice Department to distribute to the local governments, but that is a long term grant application process.

I wish we could go almost into a revenue sharing operation just for the war on drugs for the local law enforcement people. They do

not have enough. I am afraid it is going to get lost in the bureaucracy up here.

That is just a comment I have and once again, I appreciate your testimony, Secretary Kemp, and the chance to be here at this hearing.

Senator ROTH. I would just say, on that point, that I think your point is well-taken. I think it would be worthwhile for us to look into the question, because I think this is a high priority need.

Any more questions?

Senator PRYOR. Thank you, Senator Roth.

Secretary KEMP. I would just like to say that I think the type of monies that are available ought to be shared by and with local units of government and I want to say it, as redundant as it may sound, I sure hope this Committee will look favorably upon this whole idea of encouraging those tenants to begin to undertake the training for the skills to manage and control public housing. They can play a tremendous role, these tenant management groups, and I hope out of this session, we not only talk about the problem, but we remind folks that there is an answer.

You are right, Senator Pryor, I have used the metaphor of the third world, not culturally, but because of poverty. These are third world economies to the extent of poverty, and I do not think America can tell the third world—Africa or Asia or Latin America—that we know that democracy works until we make democracy and opportunity for all work in our own innercities and our own environments, that perhaps have been lost control of.

I do not think we have to give up and I do not like the pessimism that I hear and the cynicism that I hear, and I think working together, we can bring back hope to urban America and bring back hope to those public housing residents and encourage them to recapture not only their own lives and families, but also make them drug free and give them a way out, a ladder up, not just a security guard around.

Senator PRYOR. Thank you, Mr. Secretary. Thank you, Mr. Chairman.

Senator ROTH. Thank you, Senator Pryor.

Just let me underscore, Jack, I think the most positive, hopeful thing we have heard is the involvement of the tenants themselves and I think that does give us all a reason to be encouraged.

Just to go back to your point, Senator Pryor, about sharing at the local level, I think that is critically important because, Mr. Secretary, as I understand this whole public housing, it is a pretty decentralized operation and has been since it was created in the 1930's. The idea was that there are differing conditions in different areas and it was good to involve the tenants and others. I think that is an important factor to be kept in mind, that these housing authorities have pretty broad authority at the local level.

Secretary KEMP. Yes, Senator, they do, and I do not know all of the facts of the case in Delaware that you have asked me about and Senator Biden has asked me about, but I have talked to Mary Ann Russ of the PHA and I have talked to Reverend Herring, and I can understand that you have this almost Solomon-like decision to make.

Senator ROTH. Absolutely.

Secretary KEMP. Those precious families and children that you want to save and protect and husband that great resource, and the element that, unfortunately, as interjected itself, that we need to do something. I want folks to know, in Delaware, Senator, as I plan to tell Senator Biden, I have not waived HUD's lease and grievance procedure for Delaware.

There is a responsibility for all of us to tell people that there is a procedure and that there is due process and that the courts have to ultimately be responsible for the eviction. I cannot do it; Mary Ann Russ, the PHA, cannot do it. It has to ultimately come from the court itself. So, I look forward to working with everybody in finding a solution to this problem.

Senator ROTH. I think your statement that this is a Solomon's choice is very well put because it is difficult. As Dave Pryor, I think, properly said, you have due process obviously of those possibly subject to eviction, but you also have due process of the residents, and how you reconcile those are always going to be controversial. Different people will disagree, but ultimately, under our system of law and order, it is up to the courts to resolve these kind of problems.

Secretary KEMP. Could I make one little comment? It was in my notes and I did not refer to it, but I would just like to share with you, Senator, and each of the other Senators, because you might want to get into this more deeply with, say, Vince Lane, because he is on the spot, he is out in the trenches, he is doing the work that we talk about and pontificate about—or I do anyway—and Lane is on the ground, he is out in the trenches in Chicago. But it may be a Mary Ann Russ in Wilmington or a Bob Armstrong in Omaha or wherever.

If a family has a son or daughter who is not heretofore known to be a drug trafficker or even user, the question comes up, what do you do about a mom who cannot control him or her, and it is in that area where we get into this case-by-case basis. But we are saying, as you pointed out, in the Omnibus Drug Bill of 1988, families can be evicted because they are responsible for the behavior of the children and what goes on in their unit. That is part of common law and of all of our laws.

Now, if a youngster is living in a life style without working and living in what someone called in D.C., the illicit capitalist economy, the underground capitalist economy—and I hate to even call it capitalist because it is so at odds with everything that I have ever been taught about free enterprise—but just call it illicit activity, and they have the clothes and a car and cash, you have got to assume that something is going on that is at odds with normal conduct of our behavior. There is where the courts have to inject the wisdom of Solomon.

Senator ROTH. Special situations do differ.

Secretary KEMP. I would suggest that there are objective criteria that can be used, but I just want to assure the Committee again that it is not my purpose to have some sweeping, generic approach at HUD that is going to trespass upon the legitimate rights of the tenants themselves and, frankly, as HUD Secretary, this President has asked me to also be concerned with those folks that Senator

Pryor pointed out are decent and law-abiding and good folks, good folks, and somebody has got to stand up for them.

I appreciate the fact that you have held these hearings to give us a chance to have a dialogue on this very vexing, but important, issue for our day.

Senator ROTH. Mr. Secretary, Senator Levin has returned. He may want to ask some questions.

Senator Levin.

Senator LEVIN. Thank you very much, Senator Roth.

Again, let me commend you, Mr. Secretary, for the passion which you put into this cause and other causes. I think it is critical that you have the kind of energy level and determination and willpower that you display. I commend you for that. I think it is really an important beginning.

You testified earlier that if you got some help in getting more resources, you could make a difference in fighting drugs in public housing. You said that you would like to see more money in your budget to fight drugs. You said that you would welcome Congress taking action to increase those funds. I believe you said that the authorization for fighting drugs in the public housing is there, but the appropriation is not yet there.

Can you tell me——

Secretary KEMP. For 1989.

Senator LEVIN. Pardon?

Secretary KEMP. For 1989—I am sorry. It was 1989 that I was talking about.

Senator LEVIN. Can you tell us how much more money you need than you have authorized in order to make a dent in the drug problem in public housing? Can you give us the figures? An estimate, just a rough estimate?

Secretary KEMP. Well, there is a supplemental. I hope that Congress can get together with the administration on an appropriate supplemental for fiscal year 1989. In the House, they put $8.9 million into this antidrug authorization—to bring it up to the authorization level for fiscal year 1989. That would be helpful.

I think, in 1990, with a major budget under consideration, from the CIAP monies to operating subsidies to antidrug effort specifically, I would say in the range of $80 million.

Senator LEVIN. How much?

Secretary KEMP. $80 million in fiscal year 1990.

Senator LEVIN. Now, is that new money for fiscal year 1990?

Secretary KEMP. That would be in fiscal year 1990.

Senator LEVIN. Is that new money—$80 million for the drug fight in public housing?

Secretary KEMP. That would be—if I were to be able not to take any money away from CIAP or operating subsidies, it would be in the range of $80 million—ballpark, Senator.

Senator LEVIN. I understand. Is that what you are seeking?

Secretary KEMP. Let me say that given the operating subsidy request of HUD, as well as CIAP request of a billion, and $3 billion in the pipeline, I think it is legitimate, although I have been criticized for saying this, I think it is legitimate to suggest that the antidrug effort in public housing is as important a part of the modernization and rehabilitation of public housing as anything else.

So, the funds overlap. I think we can do it with a modest amount of money and I definitely think that some monies should be put into the program of tenant management and the urban homesteading program that has been co-sponsored by many Democrats and Republicans and has grown so rapidly in the last few years.

Senator LEVIN. My question has to do with how much new, additional funding you need for the drug fight, above what is already in the budget request. You said you would like some help from Congress in getting additional resources. I just want to know, what figure do you have in mind?

Secretary KEMP. Well, my answer was that in the range of $80 million, I think we can make a significant attack on this problem.

Senator LEVIN. But my question is, is that $80 million above what is already there for the CIAP and for the operating subsidies? Is that new money? Is that additional money?

Secretary KEMP. Well, it is not new, to the extent that I would be willing to help use or take monies from these very important programs to improve the quality of life in public housing. Those are the types of monies that we will be spending in fiscal year 1990, and I think——

Senator LEVIN. So, you are saying that if Congress would agree that existing money be reallocated from the CIAP account and from the operating subsidy account into a drug fighting effort that the existing budget would do the job?

Secretary KEMP. Yes, sir. Do the job—I want to be careful. I have been accused of over-promising. I do not want to promise that I can just do the job. That is pretty broad-reaching. But I think we can make an impact, a profound impact.

Senator LEVIN. That is the action you are talking about——

Secretary KEMP. That is the type of action.

Senator LEVIN [continuing]. Transferring money from one part of the public housing budget to another? Is that what you are saying you need to make a "profound impact"?

Secretary KEMP. I do not think you have to earmark it or transfer it. I think you ought to give me some flexibility with existing accounts.

Senator LEVIN. So, within existing accounts, if you have the flexibility, you would move money from one purpose to another for the drug fight?

Secretary KEMP. I consider the purposes to be a part of the whole. Senator Nunn talked about a holistic approach, and I think in the type of an approach I would like to take the public housing, is to do it on behalf of the whole effort that we want to make—to modernize, to rehabilitate, and to fight drugs, to securitize, et cetera.

But I do need about $9 million, especially earmarked for this antidrug effort in fiscal year 1990 for the type of clean sweep procedures that Vince Lane is going to talk about soon.

Senator LEVIN. And if we give you that authority and that flexibility, you could do it within the existing amount that is requested by the administration?

Secretary KEMP. I am going to say yes. We are all dealing in an environment of scarce resources and in the wisdom of the Congress and OMB and the White House, I hope we can come to an agree-

ment over the next budget, as well as the supplemental that will allow us to do the things that need to be done, including those things alluded to in this hearing today.

Senator LEVIN. My last question is, you used the term "tough on due process" a number of times. What do you mean by that? Does that mean complying with due process?

Secretary KEMP. Tough on drugs, tough on families responsible for the behavior of activities in their units, and tough for due process.

Senator LEVIN. I see. Thank you so much, Mr. Secretary.

Secretary KEMP. Supporting due process.

Senator LEVIN. Thank you.

Senator ROTH. Thank you, Senator Levin, and thank you, Jack, for being here today. I think it has been a very useful session and we look forward to continuing to work with you as you proceed.

Secretary KEMP. Thank you. I appreciate the interest of the Committee.

Senator ROTH. Next we have a panel of public housing residents from Washington, D.C. and Chicago. I would appreciate if Mildred Wortham, who is a resident of the Chicago Housing Authority and works in an infant mortality program—Westside Future—in the Rockwell Gardens development, operated by the YMCA of Metropolitan Chicago, would come forward.

Charles Jenkins is a resident of the Claridge Towers Seniors and Handicapped Development in the District of Columbia.

And finally, we are delighted to have Edith Grigsby, who is a mother of three and who lives in the Lincoln Heights Development in the District of Columbia.

If the three of you would please remain standing, because it is a requirement of the Subcommittee that all witnesses take the oath. Would you raise your right hand?

Do you pledge to tell the truth, the whole truth, and nothing but the truth, so help you God?

Ms. WORTHAM. I do.

Ms. GRIGSBY. I do.

Mr. JENKINS. I do.

Senator ROTH. Thank you, please be seated. Again, I want to say to each of you, we appreciate you being here. We look forward to your testimony.

It is up to you in what order you want to go. Ms. Grigsby, do you want to begin, or how about you, Ms. Wortham?

Ms. Wortham, please proceed.

TESTIMONY OF MILDRED WORTHAM, RESIDENT OF ROCKWELL GARDENS, CHICAGO HOUSING AUTHORITY, CHICAGO, IL [1]

Ms. WORTHAM. My name is Mildred Wortham. I am 35 years old. I have three children, two boys, 17 and 8, a girl 13, and I live in Rockwell Gardens, a public housing development in Chicago. I have lived in public housing since 1961. My parents both moved and lived in Rockwell so that we could get a better life.

[1] See p. 86 for Ms. Wortham's prepared statement.

At that time, public housing was a good place to live, a place that would give you a chance to do better. There were flowers everywhere. People worked. There were no drugs, and the Chicago Housing Authority really screened tenants. It was not until much later that the public housing development became an awful place to live that it is now.

I know a lot about public housing. I not only live in Rockwell, I work in Rockwell. I have 2 years of college education in early childhood development. I currently work for the Westside Future Program which is located in three developments of public housing. My office is in Rockwell.

The Westside Future Program was designed to deal with problems of infant mortality. It employs me and my friend, Brenda Stephenson, to staff the Rockwell office. We are both residents of Rockwell. We relate well to people there. Brenda and I work full-time.

We try to locate and monitor pregnant women as early as possible and follow them through one year of the child's life. We provide lots of services, different services such as referrals for medical care, transportation, food, and employment counseling. Right now, we have an active case load of 132 cases.

We have a lovely office in Rockwell, that building has been swept and that is why the Chicago Housing Authority is a place that residents and tenants are now beginning to try to work to make a difference in education, maintenance, housekeeping, and health care.

I will tell you that that is why the Chicago Housing Authority calls the building where my office is and that was swept the "flagship building." It has been cleaned up, it has been painted. A security system has been put in place. There are guards there and an identification system. In short, the building is safe.

That is what Operation Clean Sweep is intended to do. But in the building I live in, like most of others in Rockwell, has not yet been swept. The gangbangers and drug dealers have taken over. One of the local gangs runs the building. People are afraid to go in and out. Children do not go out alone.

My daughter is afraid to go out. She is afraid to go from the fourth floor where I live to the fifth floor where my parents are now living without an adult or one of her brothers. My oldest son was shot outside of my building a month ago. He was caught in cross fire. The people who shot him haven't been caught, so we do not know exactly why there was shooting.

But shooting is not uncommon where I live. Practically every day it happens. That is why I want my building swept. I am happy to be here today so that I can make this personal request to you Senators, to let you know what it is like living in public housing.

I am a responsible mother. I work full-time. I spend one-third of my salary for rent. I take care of my children, but they are still exposed to drugs. I know the head of public housing, Mr. Lane. I have talked to him. He knows that I would like him to come and sweep our building. That is why I am glad to be here today, to let you know what is needed.

Thank you.

Senator ROTH. Thank you, Ms. Wortham.

I think what we will do is have all three of you give your testimony and then address questions to the panel.

Ms. Grigsby.

TESTIMONY OF EDITH GRIGSBY, RESIDENT OF LINCOLN HEIGHTS, WASHINGTON, DC [1]

Ms. GRIGSBY. Good morning. My name is Mrs. Edith Grigsby. I live in Lincoln Heights projects in D.C. and I am here because I have a daughter who is a drug addict. I was married. I am divorced now and I have been in public housing for 9 years and I have my daughter, Chantay, who is 16 and lives with me. She is in the 11th grade. I have Bryant, who is 14. He is with me now because he was living in a drug environment with his mother and his stepfather.

So, all her children are taken from her now. So, I have the 14 year old, I have Emmanuelle, who is 4 years old, and his mother is—she is not a drug addict, but I am still responsible for Emmanuelle.

The problem I have in Lincoln Heights is, you can call the property manager and tell him that a drug deal is going down or somebody is getting whipped out there. If they would move off their butts when you call them, they could catch them.

The teenagers break the windows out of the crack houses—I am not going to call the property manager's name, he is not there anymore for some reason—but if he would get up and come out there, have the police meet him on the property, they could catch a lot of these kids that are vandalizing these properties.

One property next door to me was torched. The police got the drug pushers out. Instead of them coming out and securing the building, they left it open where the drug dealers could come in and out at will, like they paid the rent there. Then the next thing you know, it is torched. Then what do they do? They come out then and secure it. Why secure it for now when it is all burned down?

This is Lincoln Heights where they just remodeled. They spent X amount of millions of the Government's money to remodel these apartments. Now they are going to have to get more money to remodel it again. If they had secured it, went in there, took somebody in to fix it up, and moved people in there that need it, this is what is going on.

The people, the crack dealers that are going in and using these buildings, if they put bars on them, on the first level, and if the second level, they could put bars on them. But if they secure them and get people that work on the property—the management comes in from 8 to 5 o'clock, so, when he leaves, he does not have any idea of what is going on on the property.

So, we need management on the property 24 hours who know what is going on. Once the property manager get in, they can let him know—they can go in there and talk to him in the morning and let them know what has been going on on the property because by the time they get back to work on the property, there has been two or three murders, they have torched the place, they have

[1] See p. 88 for Ms. Grigsby's prepared statement.

busted out all the windows, and nobody knows a thing. You can call them and they sit there on their rump and will not move.

I called them about the crack house next door. They said, well, Ms. Grigsby, we know every crack house in the area. It is just a matter of time. A matter of time for what?

When my daughter came over there using drugs, I put her out. She had no place to go and I have no problem with that. She is 30 years old and if she chooses to do drugs, she cannot do it in my house. People know that their kids are dealing drugs out of their places. Why should you put the younger children in jeopardy just to say what you can have.

I love my daughter, too, but why should I let her stay there and do drugs? And I have Emmanuelle, Bryant and Chantay to worry about. So, when I get evicted, where am I going to take Emmanuelle, Chantay and Bryant? To the shelter? When I have a place of my own? I am responsible for it.

So, the parents that have these children that are dealing drugs, if they want their place, let them put the children out. It is as simple as that. I understand they love their kids, but they have other children to be responsible for, too. Where are they going to put the children once we are evicted because of our children peddling drugs?

Where are Chantay, Bryant and Emmanuelle going? And where am I going? A senior citizens building? I am not old enough yet. So where are they going to put me? And what are they going to do with my kids?

They need people on the property and the management to stop thinking they know everything and get out there and work with the tenants. They do have tenants that care, but the management has got to get up off its rump and get out there and help us because they cannot do it by themselves and they think because they have got these high paying jobs, they know everything, but that is not the truth. I do not work anymore, but I know what is going on in my property.

And you should just come out to Lincoln Heights and see the apartment that is all burned out. Two units burned. They could have put somebody in those units and I do not let my daughter stay in my house.

And as far as the money from the BMW's and the houses that they are taking from these drug dealers, why cannot they use those houses for the borderline babies and the children that you are taking out of the crack houses? That could be like a halfway house for them until they find a place for these little kids to go instead of taking them to Cedar Knoll or Oak Hill. Those children have not committed any crimes.

The people that are committing crimes that they locked up today, before you can get in the bed, they are back out there dealing drugs. And this is all the time in the back of my house. You can stand in the kitchen and there is gun fire. There is gun fire.

I mean, you can go out the front. The children are not allowed to go to the ice cream truck anymore. I cannot let Bryant and Emmanuelle go to the playground, the basketball court, which is right across the street, because the drug dealers run it. They sell their wares over there. And you think management does not know it?

Management should have a meeting with the tenants so they can talk about the trouble and find out who wants to get involved because there are people that want to get involved. And they leave their little job and then they go home, out in the suburbs more than likely. Their bed is not in the project. So, how do they know what is going on?

And the drug dealers that are coming around in their BMW's, when I live at 156 56th Place, Southeast, which is East Capitol Dwelling. When I saw a car come up there from Maryland or Virginia, park in front of my door, go around the corner, around the back of my house, and stand up on the hill and peddle drugs, what I did was get on the phone.

I would go out to the car and get the tag number, tell them what the car looked like, and gave them the tag number and told them what they had on. And I tell you one thing. They disappeared. I do not know what happened to them, but I did not see them sitting in front of my door anymore.

If I saw them put the drugs in the car, I would tell the police what side it was on and everything, because that was the only way I was going to get rid of them. I have grandchildren that want to play and the drug pushers come out of Maryland and Virginia in their fabulous homes and come in the projects, as they call it, and sell their drugs.

I do not think it is fair. And all their parents sitting out there and sitting back watching their children. The children, they might be giving their parents money, but what good is it if your child is dead? Once the kid is dead, the money has stopped. And now you are sitting around, grieving for your kid when you should have been grieving for him before he was murdered.

If my grandson, who is 14 years old, ever comes in my house with any dollar that I did not give him, I want to know where it is coming from. If he would come in there with a chain, I want to know where he got it from. He does not have a job, so where is he getting it from. He cannot come in there with nothing.

I check his room, I look in his drawers, I do not care. I went to school and checked his locker. I have to go up to school now because he bought two rings. He is talking about some girl gave them to him. What is a girl doing giving him a ring? [Laughter.]

I want to know where it is coming from. I said, well, I am going to talk to your teacher. She does not know. Well, somebody is going to know because they are going to tell me something.

And that is the thing. The women are going to have to start taking back their houses. I would not have a kid to come in my house and beat me up and break my arm and my legs, because the next time he comes through the door, I am thinking he is going to try to do me in and I am going to blow him away from here. It is as simple as that.

You cannot let your kids come in there and beat you up and break your legs and break your limbs after you have raised them. And they are going to come in and take over my house and scare my children to death? No.

That is all I have to say. Thank you.

Senator ROTH. Well, I want to thank you for your very eloquent testimony. Perhaps we ought to make you manager of these facilities.

Ms. GRIGSBY. You know, I am going to see what they are going to do. Mr. Lynn Cunningham and I and some other tenants, we had a meeting yesterday. And we are planning on doing something. We really are because it does not make sense. Even if I do not—I do not have to be the manager.

They could get some women out there that really care and it is not the older women that are doing the drugs. It is the girls in their 20's, and they come in and really, they are prisoners because they want to be a prisoner. They want the drugs. See, my daughter wants the drugs. When Denise came over there, I said you either get into a drug program or you cannot stay here. She did not want to get into a drug program.

If she were sick and she had cancer or something, she would want to get well, so why not want to get well if you are on drugs. It is a sickness. She has five beautiful children. She had a beautiful apartment, so why not get into a program so you can get your children back and have some self-respect. Those women do not have respect for themselves. They do not care who they sleep with. They just want the drugs. I have seen my daughter and I know what it has done to her.

Senator ROTH. Thank you, Ms. Grigsby.

Mr. Jenkins.

TESTIMONY OF CHARLES JENKINS, RESIDENT OF CLARIDGE TOWERS, WASHINGTON, DC [1]

Mr. JENKINS. Thank you, Senator.

My name is Charles Jenkins. For the past 5 years, I have been living at Claridge Towers, a public housing development located here in Washington, D.C. Claridge Towers is a 10-story building designated for senior citizens and the handicapped. Most of my neighbors on my floor are elderly women.

I am 52 years old and I have a vision impairment due to diabetes. The problems of the neighborhood outside the Claridge Towers have been allowed inside the building. There are residents who use and sell drugs. Vagrants sleep in the stairwells and laundry rooms. Prostitutes conduct business from apartments in the building.

Two years ago, an 86 year old woman in my building was bludgeoned in her apartment. By the way, I have written Police Chief Maurice Turner just before that predicting just that kind of thing.

I am not always aware of everything that goes on in the rest of the building, but I can tell you about some of the problems on the 9th floor where I live. About a year and a half ago, a man living on my floor was selling drugs from his apartment. Each day there was a steady stream of customers entering the building through the garage door, and taking the elevator up to the 9th floor to buy drugs.

Just about a month ago, on April 12th, my next door neighbor was robbed at knife-point in her apartment. Mrs. Fallows, a tiny 84

[1] See p. 90 for Mr. Jenkins' prepared statement.

year old woman, made the mistake of letting someone that she had seen in the hall before, come in her apartment to use the telephone. The assailant produced a knife and told Mrs. Fallows that she needed money for dope.

I told Mrs. Fallows it was a transvestite but that does not matter.

It may be hard to believe that these kinds of things can take place in a building intended for senior citizens and handicapped persons. There are several reasons why they do. First, not everyone in the building is authorized to be there. Some residents violate the rules by allowing friends, children and grandchildren to live with them, and some of these unauthorized residents—I call them squatters—bring crime and drugs into the building.

Second, the security system is just not good enough to keep trespassers out of the building. There is never more than one guard on duty at a time. The guard is supposed to monitor the traffic coming in the front door, but there are other ways to enter the building which are completely unguarded.

Third, some of the residents who are considered handicapped have just been released from mental hospitals or are addicted to alcohol or drugs. I know that such people need places to live, but I question the wisdom of having them share a high rise apartment building with senior citizens.

I am lucky. Strangers in the building do not threaten me, probably because I am 6 feet 4 inches tall. I really do not have any problems myself. But I just cannot mind my own business while they intimidate my elderly neighbors. I have two elderly parents myself—one is 75 and one 83—and when I look at my neighbors, I see my parents. I certainly would not want my parents to live with the fear that older residents in Claridge Towers live with.

So, I complain to the management in my building and write letters. I have written to City Council members, the Housing Department, the Mayor, and even Secretary Kemp, and members of Congress. For this reason, I am considered a troublemaker.

It does not have to be this way. Things were better in the past at Claridge Towers when the management held residents to a higher standard of respect for the building and their neighbors. The current situation will not improve until the security system gets better or until the Housing Department evicts the residents who are either harboring or are themselves engaged in criminal activity.

Thank you, Senator.

Senator ROTH. Thank you, Mr. Jenkins. I want to express my appreciation to all three of you. I think you have made a very impressive statement of the problems of public housing and the security of the residents that live there.

If I understand your testimony, each one of you, it seems to me that what you are saying is that your house is not your castle. It does not provide you security. To the contrary—if I am incorrect, I would invite each of you to answer—you find that you are almost hostage in your home because you cannot move about freely for fear of the safety, not only of yourself, but your family.

Would you agree that security of the residents is a most critical aspect of public housing?

Mr. JENKINS. I would say, Senator, that it is a very important aspect, but I am going to surprise you and say that my building would not even need one more dime of appropriation from you to be run correctly. I have seen it run correctly. A little 5 foot 2 manager that we had ran it correctly, and she simply did one thing: she was a strong manager, a strong figurehead, so the security people knew that they had to secure the building.

The people that worked there knew that they came there to work. It was as simple as that. You need strong leadership at the head of any department or of any place. When I first moved there—and I am not going to get too far afield—when I first moved there, there were two women working in the office for the Housing Authority.

They sold sex, and food stamps, and they were drug abusers themselves, and ultimately, they embezzled $38,000 from the Housing Authority. No amount of electronic equipment could have detected that. What you need is a strong personal insight to see these things. It is as simple as that.

Senator ROTH. You make a very valid point, Mr. Jenkins. Too often here on the Hill, we think money is the answer to many problems. In many cases, that is not the case. Obviously, strong leadership, management is a critical aspect.

On that point, I think you all sat here while the Secretary spoke, and he was talking about the significant contribution that residents in a number of developments are beginning to make.

I would like to hear your comments. Do you see this as a promising development, if we can get the residents themselves involved? Will that improve the security situation? Ms. Grigsby.

Ms. GRIGSBY. I think it would because the residents know the area, they know the people, they know the residents, and the people who have been around there for 10, 15 and 20 years. You cannot bring a person in off the street that knows nothing about Lincoln Heights and put them up in an office and tell them to run it and all they do is sit in the office.

They do not get up and come out and mingle with the neighbors. I mean the tenants—they do not have a tenants meeting and discuss the problems that are going on. The best property manager that I can remember that we had was Mr. Burnett from East Capitol Dwelling and Ms. Steele.

Ms. Steele would come out in the neighborhood—that was East Capitol Dwelling—she would come out in the Government car and come around the area. She would even drive up in the alley and if she saw the trash can running over, you would get a notice. If she did not knock on your door, you would get a notice the next morning saying you have to clean up your act or you are going to have to pay a fine.

Mr. Burnett, you could call him out and he would come and see what the problem is. I called yesterday to the property manager at Lincoln Heights because the teenagers in the building had eaten Domino's Pizza and left boxes all out on the front. Do you think he came down there? If he cannot, you cannot.

This is what I am saying. When you call them, they do not come down and say, yeah, that is it. They call me a troublemaker, too, because I have had it with Capitol Housing for 8 years. I have

made them move me. I have argued with them. I have been to court because they are trifling. They sit back on their haunches and think this is all they are supposed to do. You have got to call them up and beg them to come out and see what the problem is.

If they get some tenants that are older women that do not mind stepping on somebody's foot like me, then it would be better. Go around and knock on doors and ask them, what do they want us to do. What do you want us to do? Nobody knows by sitting back up in the rental office. You can go down there and they are just sitting back in the office collecting the rent and talking on the phone and looking out the window.

That is all that happens in my rental office. I do not know about anybody else's rental office. They do not come out and do anything unless you really put pressure on. You have to call Lynn Cunningham and have Lynn Cunningham send them a letter and threaten them, and then they will move. But I think the residents are going to have to stand up and speak for themselves.

As long as we do not, HUD and National Capitol Housing is not going to do anything. They figure we are content. They figure, well, they have a roof over their heads so what do they have to argue about. This is what they are going to say. They have a roof over their heads so they should be content.

But I am not content because Emmanuelle and Bryant are not safe. They cannot go out and play. They should be able to go out and run up and down the street and play with their bikes like other little kids.

You cannot go to the mailbox. Our mailbox is around in a court, and I take Emmanuelle around there to get the mail and the dope addicts, they are just around there. Emmanuelle says these are the bad people, Grandmother? I say, yes. And that is just what they are. They have shootings.

They shot a policewoman 2 weeks after I moved in Lincoln Heights. One of the dope dealers shot her in the leg. Now, you are talking about prisoners. The police were all up on the roof. The street was blocked off. We could not even go to the mailbox that day. We had to stay inside until they caught the boy. His mother found him and turned him in. That is how bad it is. We could not even come outside. You could not even come to the door to see what was going on. And that is how it is. It is terrible.

You can go to the ice cream truck and if there is a drug dealer there, and a drug deal that went down as bad, they will come through there shooting. They do not care about your children. They do not care. They do not say, little boy, would you move because I am getting ready to kill him. They do not care. They just open fire and blow him on away and then go on about their business.

And the police know it, and the only time the police have been over to Lincoln Heights is when the news media stepped in and there was a lot—Mr. Marion Barry, too. Nobody cared until the news media stepped in.

Once the news media stepped in, I looked out the window and the police were everywhere. They were on every corner. They are stopping everybody. They are locking up people that do not even

have a permit. You did not have to have drugs, they just lock you up. They was coming from everywhere. That lasted about a month.

You go over there now and they come around maybe every hour. Where has Mr. Barry been? He claims he has been in the drug area. Well, he has not been in Lincoln Heights. He must have been in a drug area over there on Pennsylvania Avenue where he lives because he sure has not been in Lincoln Heights because drugs are everywhere in Lincoln Heights and there is a murder—before the police came out, there was a shooting every night.

You could sit in the living room and look at TV and hear three and four shots ring out. You do not know whether to duck or what to do. So, they need to talk to the tenants and the tenants get together and make them put some property managers on the property. And they do not need—all the money they have spent, they keep doing these places. They put people in there and they torch them and then they have got to spend $2, $3 or $5 more thousand to get people in there.

When you bring people in with children, and if it is only a mother or grandmother with the children, check every now and then. If you get a complaint about drugs, go in there yourself and check and see what is going on. Do not say, well, I know, and it is just a matter of time. By the time the matter of time is over with, two or three people are dead and the unit is destroyed. And that is a waste of money.

Senator ROTH. My time is running out, but I do want to ask one final question.

Ms. Grigsby, I think, very eloquently said she agreed that it was the responsibility of the family, of the head of the household, to kick out any member of the family that was not acting responsibly, that was involved in drug activity.

I would like to ask the other two members of the panel, do they agree? This has become quite controversial in some areas. Do you think it is appropriate where a member of a family is involved in the illicit use or in the selling or dealing of drugs, that the family should be evicted?

Ms. WORTHAM. No, I do not think the family should be evicted. I think there should be a plan for that juvenile or young teen that is a problem in that household. I think that we would need resources to refer him. Like you say, it is not a criminal case and you cannot lock him up for something that he did not do if he has not committed a crime.

But public housing needs to sit down and design what it is that we can do to change that person or that individual from being evicted, because mom and sister and brother cannot be responsible for that brother or that daughter. They are not their keepers. I do not feel they should be punished for it.

I mean, I am a mother and I have a 17 year old and if he was to go out and do something, I do not feel that I need to be evicted because of his behavior, but I need to sit down and talk with someone about what I can do to help him.

Senator ROTH. Ms. Grigsby.

Ms. GRIGSBY. Put the family out. If my daughter come in my house and I know she is a drug addict or she is selling drugs out of my house, either I put her out or they are going to put me out. So,

you have a choice of whether you are going to be put out or if you are going to put this kid out.

If I have a 16 year old kid that is peddling drugs and he wants to sell drugs, he knows that it is wrong. If he is not a user, he is just a seller, then he is going to have to go. If my kid is on drugs and he is a minor, then I would try to get him into a drug program. It is not the Government's job to put your kid into a drug program. It is up to you to get help for your kid. If your child broke his arm or leg, you would not go to the Government and say, take my kid to the hospital.

So, if your child is dealing drugs out of your house, then you are responsible for this kid, this minor. If it is an adult, then you kick him out.

Senator ROTH. Thank you.

Ms. GRIGSBY. She lost her own apartment so I am going to let her get me kicked out in the street? Then what am I going to do with the other kids?

Senator ROTH. Mr. Jenkins.

Mr. JENKINS. Senator, I will be very brief. I grew up in a household with a caring mother and father. I am very lucky. They are still living, prosperous and healthy. And there was only one rule and that was the rule of law and the law was laid down by the mother and the father and consequently, there have never been any drugs in my family. I will say this.

In my particular building where the residents are a little older, sometimes they are intimidated by their children whom they see on the 1st and the 3rd when the checks come in. So I think that these things should be decided on a case-by-case basis. I could not just give you a holistic view of it. I would just say, take it case-by-case. Thank you very much.

Senator ROTH. Thank you, Mr. Jenkins.

Senator Lieberman.

Senator LIEBERMAN. Thank you, Senator Roth.

May I just say to the three of you as one member of the panel, thank you for being here because I think your testimony has been very powerful and very impressive. With all deference to the Secretary, for whom I have admiration, I think you are the stars of the morning because one cannot help but listen to you and have two reactions.

One is to have respect for you because of the obvious sense of values that you bring to the table, sense of family values and sense of responsibility, your eloquence in describing the problem, and your guts in hanging in there. Two of you have described yourselves as troublemakers. I would guess that the third probably would do the same. If we do not have some troublemakers, we are not going to make any progress and I thank you for that.

The second thing is—a reaction listening, you cannot help but be angry about what you have to face every day to try to live decent lives.

Ms. Wortham, you said something that we often forget these days, and I guess each of you said it in one way or another, which is that public housing was not always like this. Public housing was desirable, it was a decent place to live, and it was a way up in our

society, and we have got to get back to that. Let me just ask a couple of questions, if I may.

Have you given up on the police? Are the police present where you live? Do they come when you call? Each of the three of you, give me your reaction to that, because obviously, they are supposed to be representing us and enforcing the law.

Mr. JENKINS. I am going to kick that off, Senator, by saying this, that I have had different experiences with the police. As a matter of fact, I wrote Chief Turner 5 years ago—or a few years ago, telling him that everyone was taking a Goetzosian approach to their own safety—obviously, I am referring to Bernard Goetz.

But he would send a personal representative to me each time. I found him to be very responsible, but obviously, there are differences of opinion on this panel. So, I defer to Ms. Grigsby who has a totally different view of the Police Department. They have always been courteous to me. They have always come and sat down and talked to me in my apartment. They even got the manager up there one day and asked him what was his problem. At the time, the guy was just a pretty weak person, a weak manager.

So, they talked to me in the apartment, they talked to him, and their conclusion was that the reason things had gotten to that state was because of his weakness. Ms. Grigsby.

Ms. GRIGSBY. The Police Department—the police will come. They come to Lincoln Heights and if you call them, they will respond, but to me, they are not doing as much as they could. And when you call them, it takes so long for them to get there, if they respond. When you see a drug deal going down and you can describe what the dealers have on, by the time 6th District gets there, they are gone.

I have seen the jump-out come around the corner and the men that they catch are not even the drug pushers and the ones that are drug pushers, have their hands in their pocket, walking past the police with this silly grin on their face. So, the police have to come and respond as soon as you call them. I mean, come out and take it seriously.

I know it is a drug area and they are probably saying they are tired of coming over there and they are tired of running over there because they cannot do much. But if they come when you call them—and if the property would respond and get somebody out there with walkie-talkies that will walk the neighborhoods and see what is going on. Have somebody to walk the buildings and see what is walking out in the empty—my unit there is only six apartments in there in the unit I am.

Most of the apartments in the Lincoln Heights only have six units in the building. The majority of them are three and four and five bedroom houses. So, it should not be too much of a problem. They could get people that live in the units—I would be glad to. They give me a walkie-talkie, I will walk my own unit——

Senator LIEBERMAN. It is a good idea.

Ms. GRIGSBY [continuing]. And see what is going on.

Senator LIEBERMAN. There is none of that now, I take it?

Ms. GRIGSBY. No, there is nothing.

Senator LIEBERMAN. Is there a Housing Authority security force in addition to the local police that——

Ms. GRIGSBY. No.

Senator LIEBERMAN. There is not?

Ms. GRIGSBY. Not over in Lincoln Heights.

Senator LIEBERMAN. Mr. Jenkins?

Mr. JENKINS. Let me say this. In my building, we have 24-hour security. At one time, they wanted to take away 8 hours of it from 12 midnight to 8 in the morning. I complained about that. Then the next thing they wanted to do was take away their weapons. I complained about that. And when the police came down to talk to me, one of the policemen told me, take away their weapons. He said, when we get a call to come to 12th and M or 13th or M, we come with our weapons drawn.

So, it has just been a constant battle back and forth. I might add, Senator—I do not want to take up too much time, but I think we not only need a Clean Sweep in my building, but I think the Housing Authority itself needs a Clean Sweep.

We have had three directors in the 5 years that I have been in this thing. We have had four managers, one of them was outstanding, an outstanding lady. And as a matter of fact, I wrote the Mayor and told him that she was outstanding. Maybe that is why she got a better job. But maybe that is why she got kicked up.

But you see, one thing about this, this is sort of an inverse psychology that you have to understand. When you find a sensational person like that, rather than rewarding them, what they do is they try to break that person's spirit and make them one of the boys or one of the girls or one of the "go along to get along" crowd.

Senator LIEBERMAN. Who is the "they" there?

Mr. JENKINS. The Housing Authority themselves. I mean, everything that they have displayed to me over the past 5 years is the Peter Principle—mediocrity brings on mediocrity. I have never seen such a situation in all my life.

Senator LIEBERMAN. Ms. Wortham, how about the police? Is there a Housing Authority security force where you live in Chicago?

Ms. WORTHAM. Yes, which is called the Tag Unit. In my district, we do work closely with the commander, the neighborhood watch program, and Beat rep. As I stated before, two of our buildings in Rockwell have been swept, and before then, there was no confidentiality for a resident that would call into the police department and give a report. If there were drugs or gangs or whatever the problem may be, the officer would approach your door. That posed a problem at the time.

But now that we do have two buildings in Rockwell that have been swept, there is no problem with the police coming out. We have the security downstairs. We are comfortable walking up and down and riding elevators at all times of the night because you know that the security is down there.

But in buildings where they have not been swept, I may come down early in the morning—like I said, I work in Rockwell in Chicago—there are 20 to 45 different guys there, sitting on the steps, doing drugs, during the hours of school time, and anytime of the day.

They are there. It is pardon me, excuse me, may I come down. Yes, I am terrified of walking up and down those hallways because

I never know who is there. I do not recognize tenants in my building because my building is not secure. It is not locked up.

But in the building I work which was swept, it is good morning, how are you doing, Ms. Wortham, and kids are happy. There is no shooting. Before it was swept, police officers would not come because you have firing, you have Uzis and guns and .38's and .32's. No one likes coming out and risking their life in cross fire.

So, we and the residents got tired of it. People are looking for outside help to make a difference and change and we got together with the police department in our development.

Senator LIEBERMAN. Okay, thank you. My time is up.

Senator ROTH. Thank you.

Senator Pryor.

Senator PRYOR. Thank you, Mr. Chairman.

This hearing, Mr. Chairman, has actually gotten more fascinating as the morning has gone along. I think all of us are seeing a part of a picture that we have maybe read about but we're now hearing about it first hand almost.

Mr. Jenkins and Ms. Grigsby, Mr. Chairman, have both mentioned managers in their respective buildings or facilities that they applaud or commend. How are managers chosen?

Mr. JENKINS. The Housing Authority, like any other bureaucracy, has a director and these people are employed by the District of Columbia Government. I imagine they are promoted on a system of merit or achievement or whatever, and selected to go to a certain facility.

I am saying I think that is the way it is done because that is the way it is done in most departments. They certainly are not elected, but they are promoted and they have a promotional system, as any other department might have.

Senator PRYOR. Now, how is the director chosen? Is that a job chosen by the Mayor?

Mr. JENKINS. Now, I do have some things to say about that.

The three directors that have been there in my time, they are appointed by the Mayor, and I think this is one of the things that is wrong with the entire system. The Mayor goes to St. Louis, he goes to Florida, he goes to California, and brings these people back here who know absolutely nothing about the uniqueness of Washington, D.C.

This is the Federal city, you know, and things are done here a little bit different than the way they are done in other cities. And I think the unfamiliarity of bringing these strangers in and putting them over these people who have worked in the Housing Authority for 20 or 30 years, and who have an acute knowledge of what needs to be done, what has to be done, I think that promotes a lot of friction right there.

And the proof in the pudding is that he asked Madeleine Petty to step down. She was there when I got there—the director. He brought in a man named Alfonso Jackson from somewhere, and I do not think he even stayed the length of his contract.

Now we have a new man in there and it is just befuddling to the people who are in public housing that you always have to go across country to bring someone in. You see, that, to me, makes absolutely no sense. Now, I am not the head of the Government, but I cer-

tainly would not do it that way. I would promote those people who have an acute knowledge of the system.

Senator PRYOR. Good comments. Ms. Grigsby, did you have a comment on this?

Ms. GRIGSBY. No.

Senator PRYOR. Do you think there should be tougher qualifications or a test to be a manager? Ms. Wortham, do you have any?

Ms. GRIGSBY. The best qualification that you can have is, you have to live in public housing to know what is going on. You have to live there. You have to have some knowledge of what is going on. You have to live in the neighborhood or something to find out what is going on. And if they are going to pick a manager, they should get 2 or 3 or 10 tenants and sit down and talk about what the problems are in different projects because all of them—East Capitol Dwelling, Lincoln Heights, Barry Farms—every one has its own different set of problems.

So, you need people out of each one of these projects to sit down and talk to somebody that is going to be so-called working and making sure that things are better for our kids because they cannot do it if they do not know anything about it. I mean, I know they have degrees, but obviously, it is not working because everything is screwed up. So what are the degrees for?

Senator PRYOR. They have what?

Ms. GRIGSBY. I do not have a degree in anything and I could do better than this because I would get out there and talk to the people and find out—because that is what is important. These people are the ones that have to live in there—in the public housing, so you have to get out there and find out from them what they want, what will make your neighborhood better, what will make your neighborhood safe.

You cannot tell me what is going to make my neighborhood safe. You do not live out there. You do not live in Lincoln Heights. You have no idea what is going on in Lincoln Heights except for what we tell you and when you look at TV tonight. That is the only way you know. You have to live out there to see what is truly going on in public housing.

Senator PRYOR. You are absolutely right. Ms. Wortham, did you have a comment?

Ms. WORTHAM. Yes, Senator. I see that it is all across the board there. We are having problems with managers here and in my development in public housing, we meet monthly and I feel comfortable in answering the question because I ask the people I work with and residents and they feel that managers should live and be on site.

They feel that they would be more in tune with what is going on instead of leaving at 4:30 and not able to fix plumbing problems, maintenance problems. We talk about it in our monthly meetings so yes, we feel managers should live on site.

Mr. JENKINS. Senator?

Senator PRYOR. Yes, sir, Mr. Jenkins.

Mr. JENKINS. Excuse me. I had one more thought.

This is something that I recommended to the City Council 2 or 3 years ago. I said that every tenant who comes into public housing should go through an orientation period and be told what they are

expected—what their attitude should be toward that facility. Every security guard should be trained and especially told about the idiosyncracies of older people. They come there untrained, unprepared.

Also, the managers. They do, I understand, go through some type of training, but I do not think it is adequate. I just think the whole approach should be, look, let us work harder at what we do and not always say that more money will solve the problem. Thank you.

Ms. GRIGSBY. Can I say one thing? When they remodeled East Capitol Dwelling and Lincoln Heights, we did go through orientation. They took us there and told you, do not let the children stand on the toilet seat and do not let the children do this and that. It still has not done any good. They put the screens in where you cannot put them up to keep the kids from pushing them out. It did not do any good. The screens are still shoved out.

So, we went through orientation. We had to go before we could get back into the remodeled units. And they taught you about how to do this and how to do that. I mean basic house cleaning they were telling some people. I mean, this is that you should know that your mother taught you and your grandmother. And the people are not taking heed. They are not taking heed. You can tell them all you want, but it is not going to do any good.

Senator PRYOR. Thank you, Ms. Grigsby.

Mr. Chairman, my time is just about to expire, well, it has expired, but I am going to take 30 seconds more and say this—and I hope we still have some people from Housing and Urban Development in the audience.

Before this Federal bureaucracy of ours goes out and attempts to hire consultants and statisticians and professional problem solvers, Mr. Chairman, in all due respect, I think we have three people right here who could be involved in solving and coming to grips with more than anyone that I have seen thus far. These people know what it is like to live in these housing developments.

Senator ROTH. Would the Senator yield just for a comment?

Senator PRYOR. Yes, I will.

Senator ROTH. It seems to me what you are saying is that, in a sense, what Jack Kemp was saying. The most promising thing is that the residents themselves are becoming involved and they probably know more what needs to be done and how to do it than any other group. I think your advice makes good sense.

Senator PRYOR. Thank you, Mr. Chairman.

Senator ROTH. I want to express my appreciation to each one of you—you, Ms. Wortham, Ms. Grigsby, Mr. Jenkins—for your outstanding contribution. I think it is a fair statement to say that you have given us a better understanding, more insight than almost any other witness could. So, I want to thank you on behalf of the Committee for your contribution.

Mr. JENKINS. Thank you, Senator.

Ms. GRIGSBY. Thank you.

Ms. WORTHAM. Thank you for listening.

Senator NUNN [presiding]. I thank all of you for your contribution. I had to preside over another hearing and so I had to be in and out, but I have heard about your testimony and I will get filled in on it. We appreciate very much you being here and I hope that your testimony will stimulate all of us to help you do a better job.

We all will be looking to the guidance from the Secretary of Housing. We will also be looking to a lot of the suggestions you have made here this morning. So, we thank you for being here.

I have a statement for the record from Mr. Sam Hider who has been the Executive Director of Atlanta Housing Authority for 9 years and I also want to thank Mr. Hider for his help in preparing for this hearing. He has been very helpful to the staff. So, without objection, his statement will be entered in the record.[1]

Senator Roth, does that complete this panel?

Senator ROTH. Yes, that finishes this panel, Mr. Chairman.

Senator NUNN. Thank all of you for being here.

Our next panel will be MaryAnn Russ, who is Executive Director of the Wilmington Public Housing Authority; Vincent Lane, who is the Chairman of the Chicago Housing Authority; and Manuel Quintana, General Counsel, New York City Public Housing Authority.

Senator ROTH. Mr. Chairman, may I just make a brief comment? Do you want to swear them in first?

Senator NUNN. Go ahead.

Senator ROTH. In welcoming all three of these individuals who have been on the firing line, I particularly want to pay my public respect to MaryAnn Russ, who really has done an outstanding job in bringing the Wilmington Housing Authority up from its low point in the 1970's when it was in deep, deep trouble. I can just say that through her strong and tough leadership, she has indeed made Wilmington Housing one of the best. It has been publicly recognized as one of the most improved housing authorities in the country and it is due to her very strong leadership. It is nice to have her here.

Senator NUNN. I thank all of you for being here. We swear in all of our witnesses before the Subcommittee.

Do you swear the testimony you give will be the truth, the whole truth, and nothing but the truth, so help you God?

Ms. RUSS. I do.

Mr. LANE. I do.

Mr. QUINTANA. I do.

Senator NUNN. Thank you.

Senator ROTH [presiding]. Ms. Russ, would you proceed, please?

Ms. RUSS. Thank you.

TESTIMONY OF MARYANN RUSS, EXECUTIVE DIRECTOR, WILMINGTON, DE, PUBLIC HOUSING AUTHORITY [2]

Ms. RUSS. Thank you, Senator, yes.

Good morning, Senator Roth, Senator Nunn, members of the Subcommittee, staff, and other witnesses. My name is MaryAnn Russ and I am the Executive Director of the Wilmington, Delaware, Housing Authority. I appreciate this opportunity to tell you about the Wilmington Housing Authority's program to reduce drug abuse in the properties we own and manage.

The first point I would like to make, has been made by other witnesses, but I would still like to mention it, is that drug abuse is a

---

[1] See Exhibit 42 on p. 252.

[2] See p. 92 for Ms. Russ' prepared statement.

nationwide problem that affects families of all income strata and lifestyles. It is not just found in Wilmington in public housing; it is found in the neighborhood I live in and it is found in neighborhoods all throughout Wilmington.

But saying that and saying that drug abuse is a nationwide problem does not relieve me of my responsibility to do something about it in public housing in Wilmington. Both I and the Federal Government have an explicit responsibility for curbing drug abuse in public housing.

This arises out of the 1937 Housing Act's language that says that public housing is supposed to be decent, safe and sanitary. You have to ask the question, how can it be decent, safe and sanitary if it is overrun with drug abuse, drug dealers armed with automatic weapons who conduct their business 24 hours a day within a few feet of the area where children play.

This is, as you heard from the last panel, an accurate description of many public housing developments and at least one in Wilmington.

The Wilmington Housing Authority has a three-part program aimed at reducing drug abuse. Part 1 is a program of education and prevention aimed at young children, youths, and their families. The goal of this particular prong is to prevent drug abuse by the young.

A second activity that we are engaged in is a treatment program for tenants who come to us seeking help. The goal of this function, obviously, is to help tenants with addictions to overcome their physical addiction and the circumstances that led to the addiction in the first place.

The third and most controversial part of our program to reduce drug abuse is the lease enforcement program that evicts families that either use or traffick in drugs or condone their use or sale. The goal of the lease enforcement is to ensure that families that violate the terms of their lease are not permitted to remain as residents.

Now, in the area of drug abuse prevention, we use a combination of incentives designed to educate kids and youths about the dangers of drug abuse, while involving them in activities that they will find fun, because if we just get out there and talk to them, it is not interesting.

We have had rap concerts, family picnics, coloring, poster and essay contests, and we have a scholarship program that is supported by staff contributions. Two youths got college scholarships this past year. We are also currently seeking corporate sponsorship for that scholarship fund.

In each of these activities, what we try to do is target it for a specific age group, host an event with an explicit antidrug message, and then also give the kids something to take home. I brought three T-shirts that I will leave with you that say "Wilmington Housing Authority—A Place to be Drug Free." We have hats, we have buttons, and we really like to see them out there on the developments because we feel like if you are wearing that shirt, maybe you are absorbing the message, too.

In terms of drug treatment, I want to make very clear that we are not in the drug treatment business. We have our hands full

with the housing management business. But lots of residents view our managers as the first person that they come to for any kind of a problem in their life.

And so, our managers, very often, find out—they may be the first ones to hear a tennant acknowledge I have got a drug problem and I want to do something about it. The manager may very well be the first one to find out this. And what we try to do then is crank in our network of social service providers and try to find them appropriate drug treatment.

Now, that is really hard to find. There is clearly a need in Delaware for more drug treatment and specifically, what we would like to see is a facility in the city of Wilmington where women could go with children, because we have had several situations where we have had people come in and say, I want to get off cocaine and we have gone all out and gotten them a slot in a residential drug treatment program and, at the last minute, or 2 days into the program, they have said, I have got to leave. My babysitting arrangements have fallen through. My kids have to come first. And that, I think, is a tragic problem because it means that nobody's problem has been solved.

At this time, we are seeking somebody with the funding and expertise to run such a program and we would provide the facility. We will provide the building if we can find somebody to offer the service in Wilmington.

The final component is lease enforcement and our goal here—my testimony says it is to encourage people who wish to sell or use drugs to move out of our apartments. Under our lease, the head of household is held responsible for all the members of the household abiding by the terms of the lease, and that includes refraining from illegal drug activity.

When the police arrest someone—and we have good cooperation at this point from the Wilmington Police Department and I wish to publicly acknowledge their terrific participation with us—we look at the nature of the arrest. We have to make a determination, not whether a crime has been committed because that is a job for the criminal courts, but whether the lease has been violated.

If the crime is trafficking on or near our property, we are very, very strict about that because we feel like our other residents have a right to live without this kind of danger to themselves and their families.

What we are encouraging is just what I was so excited to hear Ms. Grigsby say: We are encouraging that household heads take full responsibility for the members of their family. If the family contains an individual the head cannot control, we believe the head should put that person off the lease, a thing we cannot do. We can evict the person who signs the lease, but we cannot selectively say, this person, who did not even sign the lease, has got to go. Only the head can make that determination and take that action.

We believe the family should enforce the behavior standard itself rather than expecting the police or the Housing Authority to take full responsibility after a drug arrest has taken place.

We have been widely criticized for our position on lease enforcement, but we believe that our policies and procedures are fully consonant with the statutory lease language from the Omnibus Anti-

drug law enacted last November, and we are also supported in this tough stand by the majority of our residents who have the most to gain from reducing illegal activity in our developments.

Getting drugs out of public housing is a really tough job and it requires a coordinated approach and cooperation of many agencies. No housing authority acting alone can provide the full range of services, educational, rehabilitation, police, that are needed. If there were additional money available, I would not ask for it for WHA.

The Wilmington Housing Authority asked for and received, in our last CIAP—Comprehensive Improvement Assistance Program application—a sizeable amount of money to do antidrug efforts in public housing, and we have had many activities we have supported through our operating budget all along.

What I would like to see is some money coming into Wilmington for drug treatment, specifically a facility where people could go with children. And secondly, I would like to see some money going to the police department explicitly to work in public housing areas.

That would free the police officers who are currently working there to remove their focus. I think, while a point has been made earlier that it might simply shift the drug activity some place else, the rest of the police department could then focus on that. So, that is what I would like to see.

We have many vacant units. We have been fortunate in receiving from HUD the money to rehabilitate those units, and the work is on schedule. We do not have a lot of problems with people using drugs in those vacant units because we patrol them daily. Somebody might be in there on a one-night basis, but then they are usually gone. And also, we get the residents who are neighbors to report this.

But nationwide, the ABT study commissioned by Congress says there are $21 billion needed for reconstructing public housing units and of the 70,000 that Secretary Kemp said were vacant, not all of those have been funded to be rehabilitated, and there are many occupied that perhaps should be vacant or certainly need major rehab. So, that is major—that is big money that is needed.

Thank you very much for your attention and the opportunity to testify and I will be happy to try and answer any questions you may have.

Senator ROTH. Thank you very much for your testimony, Ms. Russ.

I think we will take the entire panel and then submit any questions we have.

Mr. Lane, you have a record of accomplishment in some very difficult circumstances. We look forward to your statement.

TESTIMONY OF VINCENT LANE, CHAIRMAN, CHICAGO HOUSING AUTHORITY [1]

Mr. LANE. Thank you, Senator Roth, and I want to thank the rest of the Committee members for inviting me to testify today.

---

[1] See p. 96 for Mr. Lane's prepared statement.

I am going to deviate from my written testimony. I believe copies of it have been provided for you. What I have heard today reinforces many of the thoughts I had when I came to the Chicago Housing Authority 10 months ago.

I am the Chairman of the Chicago Housing Authority, as well as the Executive Director. As you may or may not know, the CHA is the second largest housing authority in the country. We have 40,000 conventional public housing units in Chicago, many of which are in high rise structures.

When I came to CHA, I came with perhaps a little more background than the average housing professional. I grew up across the street from a public housing development in Chicago. I went to school with public housing kids. I played in public housing. So, although I did not live in public housing, I grew up near public housing.

I want to tell you, in the 1950's, I envied the kids who had the good fortune to have an apartment in public housing. Now, that gave me a bit of a perspective that maybe a lot of other housing directors did not have. I knew that public housing was not always looked upon as the housing of last resort.

You had to wait in line for years to get into CHA in those days. They had front yards, back yards, flowers, neat little kitchens, bedrooms upstairs. I lived in a cold water flat with an oil stove that had to heat the entire apartment. I know what public housing can be.

Now, my approach was simple in Chicago. I realized early on that I could not utilize any professional management techniques when my employees could not even enter the building to sweep the stairs because the gangs and drug dealers controlled the property.

It meant one thing. You have to get control of the property in order to manage it. I went to the residents because I spent 3 years working with 100 women, working with them to give them some leadership training, to give them some management training to understand what public housing was all about, and I went to these women and they said, Look, you have to do something about safety because until you address the safety issue, nothing else is going to matter.

Working with the Chicago Police Department, I decided that we would utilize the emergency inspection provision in our lease, which means that we have the ability to go into every apartment in CHA if it is determined that an emergency situation exists.

To me, an emergency is five homicides, a firebombing where a small child is injured; where children cannot use the play lots because they are afraid of being caught in the cross fire from gang activity; and where mothers cannot take their children to medical clinics because they are confronted with drug dealing around the apartments. Those are intolerable situations and no human being should be required to live under those circumstances.

I would not stay at the Chicago Housing Authority if I did not feel that I could change that situation. So, I took the approach—it does not take a rocket scientist to figure out how to do this stuff—that you have to get rid of these hoodlums that have terrorized innocent women and children. Eighty percent of our public housing

leaseholders are single mothers on public assistance. These thugs literally take advantage of them.

What has happened in the past, in my opinion, has been a lack of leadership in management. We have provided and shown to the residents that we care about them and will support them. All I ask of them is, you have to tell me and identify the people who are taking advantage of you.

I have found that since we have put Operation Clean Sweep into effect, that crime in those particular buildings has gone from, in some instances, four times the city average, to practically zero.

Kids and parents alike now feel free to come out of their apartments and not be held hostage. Now we can begin the process, in those buildings, of building—rebuilding, I should say—communities.

Now, you need the active involvement of residents in order to build communities. All the money from the Federal Treasury is not going to make one bit of difference if the residents themselves do not decide that they have had enough, that they are not going to be victimized by the few people, the few bullies who have held all residents in public housing hostage.

The residents in Chicago, for the most part, have responded very favorably to our actions. We have been sued by the ACLU, but the ACLU, surprisingly, did not challenge our right to know who is living in our apartments, because that is part of the process of the sweep.

We go unit by unit and we determine if there are any unauthorized occupants in those units and then they have to get out. There are no ifs, ands or buts about it. They have to get out, in some instances, we found unauthorized, common law marriages.

In those instances, we permitted the non-leaseholder—usually a male—to step up and get on the lease and assume his rightful place in that family. We have had good results with that. In fact, we have even had several families—I think some 16 in Rockwell alone—that elected to get married.

I know many feel that public housing residents in this country want something different in life than every other American. That is not true. The majority of people in public housing are decent, good, law-abiding people who need some assistance to break the stranglehold that the minority have placed on them in these developments.

Senators, I do not want to take up a lot of time talking about the things that we have done. I would be happy to answer questions, but I just want to leave you with one thing. It is not going to work without residents, and it is going to require some more resources. It cost me $150,000 to sweep approximately a 100-unit apartment complex. Now, that, to me, is a reasonable use of PHA funds. It averages about $1,500 a unit.

Now, for that $1,500 a unit, we secure the building and we enclose the lobbies. For some strange reason, and with the help of some of the best architects in the world, the high rises in Chicago with no lobbies, no intercoms, elevators exposed to our 40 below wind chill weather—and they expect these buildings to function as a building on North Lake Shore Drive. It just does not make any

sense, but I cannot turn back the clock. I have got to deal with things as they are.

So, with that $1,500, in addition to enclosing the lobbies, we also decorate every common area in the building. We also take every vacant unit and we repair it and we put it back into service. We then follow up with a resident management program where the residents help us decide which families are going to go into those units that were repaired for occupancy.

And they also help us decide who, of those locked out, who should continue to be locked out. For us to be effective, the residents have to come forward and help us. After the sweeps, they are willing to do that, such as who is going to live in public housing and who is going to have to go.

They are also willing to make the hard decision about those members of their families who are dealing in drugs and who are active members of gangs. It is time that management around this country spoke directly to residents—not around them, not imposing upon them things which dramatically affect how they live in this world, but directly to them. If you tell them now of their responsibilities, they will respond. Our residents, together with management, have reimposed a fine system that existed 25 years ago. They voted unanimously to reinstitute those fines. Residents around this country are tired of being victimized and tired of being thought of as something other than a normal human being.

We have got to get rid of the bad actors in public housing and you will see that public housing residents around this country will come forward with confidence and with self-esteem. We need from you additional resources to make these properties secure because we cannot do it out of our operating budgets.

We also need from you, as Secretary Kemp has said, additional CIAP dollars for modernization. The Secretary also needs the flexibility to be able to shift dollars to accommodate emergency situations. The rules that are in place now as they relate to CIAP are very cumbersome. Secretary Kemp certainly made, I think, a very accurate statement in asking you for some kind of flexibility in the use of those funds.

I want to close with how I appreciate the job that Secretary Kemp is doing. He is much like I am—a hands-on person. You have to get out into the field and see what goes on before you can truly understand how to deal with it. He has come into office and has been willing to do that. I have seen it with my own eyes and ears how the residents in Chicago have responded to Secretary Kemp, and it is simply amazing to me.

I have some photographs that I would like, somehow, I do not know how to get it done in this forum, but they are before and after photographs of what we have done with $1,500 a unit. Believe me, when you are looking at $4,000 a unit per annum in operating costs in many of the Section 8 developments around the country, this is really an insignificant amount of money, especially if one considers the long-term benefits.

Thank you.

Senator ROTH. Thank you, Mr. Lane.

Mr. Quintana.

TESTIMONY OF MANUEL QUINTANA, GENERAL COUNSEL, NEW YORK CITY HOUSING AUTHORITY

Mr. QUINTANA. Thank you, Senator Roth, Chairman Nunn, and other members of the Subcommittee. I have prepared testimony in written form which I would like to submit for the record.[1] I think it would be most useful if I just covered the high points of that testimony and undertook to answer what questions you have.

We in New York have fought the drug problem since 1986. We have fought it hard and we have fought it very resourcefully. It is very difficult to distill 3 years of day-to-day experience in to a few moments and to convey it to you when I am not sure what aspects of it are most interesting to you.

So, let me start by trying to put the problem into a bit of a perspective for you. Let me quantify the problem to the extent I can. Let me tell you a little about the existing resources that we have and outline, in the briefest of terms, some of the special efforts that we have made.

To echo the remarks of many other people who have spoken to you today, the drug problem is a problem that does not discriminate. It makes no distinctions between the rich and the poor. It makes no distinctions between Hispanic communities and Anglo communities. It makes no distinctions between black and white. It kills everyone and it kills all alike.

In our developments we have had youngsters die in cross fires of automatic weapons. We have young adults who are dying of AIDS which they picked up from intravenous drug use, and in 1987, the heir to the Maytag fortune came to one of our developments to buy crack, overdosed and died there.

So, in just what we have seen, drugs really kill people from every walk of life. But I think it is important to realize that the drug problem is not a problem unique to public housing and while it is important to speak of it to you from that perspective, because some of the solutions applicable to public housing are a little different, the problem exists in a context of drugs throughout our country, and it will not be solved in public housing alone. It has got to be addressed nationally.

In New York, we approached the drug problem from a perspective that is a little different than what has been talked of here. In New York, public housing works and it works well. Public housing in New York houses almost 10 percent of the city's population. In the main, public housing is less afflicted by the drug problem than other areas of the city.

The crime rate, as it affects our residents in public housing, is about half of the regular rate for the city. We have housing projects that were built 50 years ago; they operate today; they operate well. They are not in need of wholesale overhaul or anything else. They have been maintained year in, year out for 50 years. People are living there and living there according to the standards that we exist to fulfill.

We have almost no vacancy rate. Almost 100 percent of our rent is collected, and we have 200,000 families on our waiting list. The

---

[1] See p. 118.

waiting list is purged every 2 years, and a new one is started. So, it is an active waiting list. It is not a waiting list of people who have died.

In terms of our resources, we have 570,000 people who live in public housing—10 percent of the city's population or more. These are good and decent people, and anytime I or the chairman or the general manager goes to meet with them, the one question asked time and time again is, why cannot the drug problem be dealt with more effectively.

It is on no one's mind more than it is on our tenants' minds, and the first thing they urge us in every session we have with them is to re-double our efforts in that area.

In addition, we have 200 tenant patrols staffed by 15,000 resident volunteers. These tenant patrols sit in the lobbies. They work with our police. They check who comes to the building. They maintain logs of who visits. They take sign-ins and they take sign-outs. They are the eyes and ears of the community and they are a very, very effective way of monitoring what goes on in the development.

Some of our youngsters have been organized into what are called roving patrols, and they have walkie-talkies and they go throughout the developments. Some of our developments are very large—42 acres in size, as you can imagine that in the middle of New York City is huge 42 acres to a development.

These kids on their bicycles with walkie-talkies to a little command post, ride around and talk to one another about what is going on. Their command post has telephones. It can communicate with the police. So if they see untoward activity, it is reported and dealt with.

In addition, we have a police force. We have a police force of over 2,200 police officers which, I am told, makes it bigger than the police force you have here in Washington, D.C., but then, that is probably fitting because our tenant population is larger than the city of Boston. So, we need that kind of resource.

Our police are, in every sense of the word, an official police. They have full-scale arrest powers, they go to the police academy with the regular New York City police officers and the transit officers. They study and they take the training shoulder to shoulder, and only upon graduation is an allocation made as to which officer goes to Housing Police and which officers go to the other branches of the New York City police force.

Our police chief reports jointly to the chairman of our housing authority and to the commissioner of the entire police department in the city of New York.

In addition to these police officers—or among them, to be more correct—we have a number that are deployed on individual developments; which is to say that one officer, a man or a woman's beat is that development, and that officer walks the beat. He is there; she is there; they know the tenant; they know the tenant leaders; and they know who causes the problems.

They are very much in touch with what is going on, and when we come to talk of some of the more new remedies that we have invoked, they have been very much effective in helping us tune those remedies and direct our limited resources to the problem.

In addition, our buildings were unbelievably well-designed. The Housing Authority has its own standards that are a little different than HUD standards. A badly built building cannot take the kind of use that public housing puts it to and exist for 50 years.

Something a little bit off the beaten path of the subject that we are talking about today, but where your help would be appreciated, would be if you could sort of ask HUD to leave us alone a little bit and to allow us to continue building the buildings according to the standards that we want to use. We do not want to spend your money, taxpayers' dollars, on throw-away buildings.

HUD, at times, seems to be urging us to do such things, and we feel they must not understand. So, our buildings were built to high standards and that is one of the reasons why they maintain their level of occupancy today.

In 1986, the chairman of the Housing Authority clearly recognized that the drug problem was a very different problem and coming to be a very different problem than it had been in the past. Crack erupted in our country in the Spring of 1986, and at that time, we created an antinarcotics task force to address the problem. The structure of that task force is delineated in the prepared testimony that I gave to you. If you are interested, I can talk to you about it, but let me pass on.

The essence of the Antinarcotic Task Force really is to involve the tenants and to deal with every aspect of the drug problem. The drug problem in an organization as large as the Housing Authority has many manifestations. We have 15,000 employees. It would be too much to expect that we did not have some drug problem within our own ranks, and it must be dealt with as well.

But the primary focus was to involve the tenants, to seek ways to obtain information from them about where the problem was, and to create a means to respond to that problem very quickly. What we did was to create a number of forms that were in English and in Spanish, and these were circulated widely.

The tenants were asked, on these forms, to describe the drug problem in as much detail as they wanted and to indicate where they thought it was and who they thought it was. These forms were collected by the Housing Police and—I guess I should deviate here and break my chronological continuity—but yesterday, in the Edenwald houses in the Bronx, in a combined law enforcement effort of the U.S. Attorney's Office, the U.S. Marshal's Service and the Housing Police, we struck four drug dealing apartments and struck them very hard with the forfeiture law.

The tenants were instantly evicted, and it was, indeed, the forms that other tenants had filled out that provided us information about the problem. That was what clued us in to where the problem was. Hitched to the affidavits that were submitted to the United States Magistrate in the Southern District of New York, I am proud to say, were the very forms that had been filled out by our tenants. So, it was really important.

We have created hotlines. There is a hotline that is manned 24-hours a day. People call and give information about the drug dealing that they have observed. The forms that are filled out by the telephone operators are given to the chief of our police.

His men and his women scan them, categorize them, enhance them, try to figure out what kind of operation is going on, and then refer the cases over to the city police and its Organized Crime Control Bureau which does the undercover investigations. That information from the tenants is what leads to these forfeiture cases. So, we have culled, in every way, the energies of the tenants to the greatest extent we can.

In addition, we have tried to promote prevention. I think, in this drug problem as it affects public housing and as it affects the Nation, nothing is more true than to say that an ounce of prevention is worth 10 tons of cure. It seems, however, that there are just so few ounces of effective prevention programs that are out there and available, but we have been very fortunate. We have been resourceful.

We went out and found an organization called City Kids and it is alluded to in the prepared testimony. It is a multi-culture youth organization that tries to reach kids and to promote in them concepts of self-worth and self-dignity. It does so by working with them to teach them to express their views on subjects that are important to them such as—on drugs, on what liberty means, on AIDS, and on a whole number of other topics. And they work with some of the best dramatic artists, some of the best musical artists, some of the best graphic artists in New York City to find artistic forms of expressing their views on these subjects.

What we have done is gotten City Kids into our developments. There are founding chapters in two of the developments and we are moving beyond that. We have worked with the New York City Board of Education and have created alternative high schools in our developments.

We have such a high school operating in one development now, and we hope to have 15 operative by next September when the schools start. The Board of Education gives us one teacher for every 30 pupils. It will be a program that is entirely related to the neighborhood school, and one that teaches a full curriculum. We feel it is important because a number of our tenants are young mothers, and they had to drop out of school in order to take care of their children.

This affords them an ability to complete their education, complete a full high school education in the developments where they live, and we feel that, by combining this alternative high school with City Kids, we are going to have something that gives them the educational skills that they need, but also something that teaches them to express themselves in ways that probably high schools, unfortunately, are not able to do. So, prevention is something that we have worked with a great deal.

In addition, our police have consigned 21 of their officers to the Organized Crime Control Bureau and, for the very first time, starting 3 years ago, undercover investigations of drug operations have been conducted in Housing Authority property.

In New York City by reason of concerns over corruption and things of that nature, drug investigations are done by one select unit within the overall three police forces and you can imagine, in a city the size of New York, the resources of that group are much

in demand. We gave 21 of our officers to that group. We now get investigations done on our property.

In addition, once a month, the Housing Authority police, in conjunction with city police, conduct sweeps of the developments. It is a sweep that is a little different than the kind of sweep that Mr. Lane was describing to you. It is a pure law enforcement sweep. They go; they make buy and bust operations; they round up the trespassers and give them summons.

To the extent that the Organized Crime Control Bureau has obtained the wherewithal to have search warrants issued, those warrants are served and executed on the day that the sweep has taken place. Some 3,500 arrests have been made for drugs as a result of those sweeps.

What we have also done is worked to enhance what happens once somebody is arrested for drugs. Clearly, a number of the people that have been arrested in these sweeps are outsiders—they do not belong on the Housing Authority property, and the criminal court is our remedy there. Whatever the criminal court metes out to them, is what they deserve. We work with the District Attorney's Offices to make sure that leniency is not the order of the day.

But we have also focused on what happens to those who are arrested who were not outsiders, and for them, what we have done is a number of things.

First we have tried, as best we can, to streamline the lease and grievance proceedings. In the prepared testimony, I have described to you the Cypress Hills cases, which I think is a paradigm, because it illustrates what happens when you take the best lawyers that you have available to deal with the drug problem, take everything else off of their docket but the drug cases you want them to move, and ask them to expedite the cases.

What we found was when the form of due process that was being talked about this morning is invoked to its full blossoming form, it takes us 18 to 19 months after the police have gone in and made an arrest, to secure the eviction of the tenant. And I cannot over-emphasize that it is impossible for us—or how impossible it is for us—to treat every drug case that we deal with, with the priority that we gave those Cypress Hills cases.

A question put to one of the earlier witnesses asked about due process for tenants in eviction proceedings, and due process for such tenants is absolutely an essential. But what I think was meant to be said in answer was that the good families and decent families who live in public housing have valid equal protection interests, and there is no reason why the due process rights that are accorded to the people who, frankly, break the law and ruin the valuable asset that public housing is, should be allowed to really override the equal protection rights of the decent people who live in public housing.

It should not be more difficult to evict somebody who causes havoc in public housing than it is to get rid of somebody who causes havoc in private housing, particularly when the lives of the people who try to better themselves in public housing are as fragile as they are.

22-153 0 - 89 - 3

Indeed, I think a very good argument could be made for making it easier to evict people who do bad in public housing than it would be in private housing.

What we have done to expedite the process of removing drug dealers from public housing is to devise a creative use of the Federal Forfeiture and Seizure law. It occurred to us at the Housing Authority that the statute, if you thought about it, could be applied to leasehold interests and we finally convinced the United States Attorneys in both districts in New York City to so apply it. It has been invoked 10 times, and I will tell you that it is an absolutely marvelous successful thing.

Indeed, in every meeting you go to with tenants, the question always arises, why isn't federal forfeiture invoked in my development. Maybe if there were more assistant U.S. Attorneys, and if some of the things that were created in the Omnibus Drug Control Bill of 1988 were fully funded, it would be possible to invoke the statute more frequently. I urge you, in your wisdom, to consider it.

But, we have not just rested on those laurels. We have worked very hard with the State legislature to create a State forfeiture statute. With luck, we think we will have that in place by September, and that will allow the District Attorneys' Offices in the five counties of New York City to help us in parallel ways.

We have also worked with the District Attorney's office in an application of an arcane, old statute called the Bawdy House Law, which was literally created to help people get illegal ale houses out of residential settings. It is a procedure that goes straight into the civil court, and we think that once we get it fully rolling, we can probably cut the time down between police intervention and tenant going to probably two months. So, we have done that.

In terms of recommendations for your consideration, in the end of——

Senator ROTH. Could I ask you to try to accelerate because the hour is growing late?

Mr. QUINTANA. No problem.

In terms of recommendations, I have spelled out a number of financial ones in the prepared testimony. I urge them to your consideration.

To the extent that you can shift the balance between the due process rights of the people that do bad and the equal protection rights of the decent families that live in public housing, I urge you to do all in your capacity to do so.

The tendency of Secretary Kemp to allow public housing authorities to go to court is a salutary one. It is not without its problems, but it can help and that is a tendency, I think, that should be furthered as well.

Thank you very much.

Senator ROTH. Well, thank you. I want to thank all three of you because I think you have been in a position of action. You have provided hands-on leadership, which I think is so critically important in this area.

MaryAnn, you are quoted in the Wilmington papers as saying, in an eviction case, you are never really pleased. I suppose that expresses very well the problem here, because as Mr. Quintana points out, you have both the question of due process, of ensuring those

that are being accused of violating their lease, that they have rights. But you also have the very basic responsibility in public housing, called equal protection, as Mr. Quintana said, of providing a safe and secure environment for those who live there.

Now, I think the Congress, by the language I have quoted earlier, took a very strong stand in mandating that it was your responsibility to ensure that the residents were secure from illicit drug activities.

Now, as I understand your process in the Wilmington Housing Authority, you really have a three-step program, do you not, in dealing with this kind of situation?

Ms. RUSS. Yes, that is exactly right. In terms of looking just at the lease enforcement angle of it, once a person has been arrested who is on a WHA lease, we have to investigate the case and find out if, in fact, the action occurred on or near public housing property, because if it did not occur on or near public housing property, they may still very well be guilty of a criminal violation, but in that case, we do not believe we can make a strong case that the lease has been violated because of the equal protection rights of other tenants that you have already alluded to.

But assuming that the arrest is the result of a crime that did occur on or near public housing property, and it is a trafficking type of offense, we take a very strict view of that because we feel like the rights of the other residents and their health and safety are being threatened. So, at that point, once we have investigated each case, if that is what we find, then we will proceed to court on a case like that.

Senator ROTH. Let me ask you this question. You have eight or nine eviction cases?

Ms. RUSS. There are eight that were heard on April 17th, all as a result of a major drug bust that took place in August. There were over 100 arrests in August and of those—this is a statistic for Mr. Lieberman and Mr. Kohl—of those, 26 were related to Housing Authority residents.

We chose to pursue 12 of those because we felt the others, while they might certainly be crimes, we could not make the case that the lease had been violated. So, eight of those are going forward.

Senator ROTH. Out of the 100?

Ms. RUSS. Yes, out of the 100. We are going forward with the eight right now.

One of them, we got a judgment by default. The person did not appear in court, so that one is over. In two, the people have moved out voluntarily, either before the original hearing or the second, after the original hearing, and there are five that are being appealed at this time. So, I do not want to talk about the facts of individual cases.

Two of the appeals were heard last week and three will be heard tomorrow in the Magistrate's Court.

Senator ROTH. Let me ask you, Mr. Lane, as I understand your Clean Sweep, that is really only the first step as far as you are concerned, in the program to try to make these developments secure and liveable.

As I recall, one of the points you made in your written statement is that it is important to have the residents take pride again in

their living surroundings, and that that has been one of the benefits of Clean Sweep.

Do you agree with what the Secretary—I would like to ask all three of you—do you agree that the residents and the participation of residents in management in the drug enforcement efforts is key and promising as a way of dealing with the problem in the future?

Mr. LANE. I do not think there is any doubt about that, Senator. I think that we are seeing a kind of a revolution where, as a management objective, I felt I had to have control of the buildings in order to manage them for the benefit of the residents.

I was sued by the ACLU for the actions that I took, not so much that I did not have the right to do it, but on process and procedure. But because of the public support for the efforts that we put forward, the ACLU did sit down with us and negotiate out procedures that they felt would not violate the rights of residents.

Now, I was perfectly pleased to do that because it is not our intention to do so. We want to protect the rights of residents. We also follow up, when we secure these buildings, with a program of resident training and education and prevention.

As my colleague from New York has mentioned, it is important that we start working on children in the 4th, 5th and 6th grades to teach them how to say no to drugs and to gang activity. It is important that we spend dollars for social services for little league baseball teams. I think Secretary Kemp mentioned Boy Scouts and football teams and so forth.

Kids, in my opinion, are kids. The lure of dollars from drug dealing would not be as effective if there was an alternative for kids in public housing to gangs and drugs. We have to make public housing safe so that we can create those public/private partnerships that will attract churches, businesses, and other organizations in the community back into public housing, as they once were, to sponsor and help support some of these soft activities.

Senator ROTH. You made a statement in your written statement, as I recall, which I think ought to be made public because I thought it was a very important one, and that is that poorness does not necessarily mean a drug-ridden area.

Mr. LANE. That is exactly right.

Senator ROTH. One of you did anyway.

Mr. LANE. That is exactly right.

Senator ROTH. That there are areas where those of less economic means are living in a relatively drug free area. I think it is important that everyone understands that people that live in these areas, including public housing, are essentially law-abiding, well-meaning citizens who just want to have a chance to live in a safe, secure surrounding. Am I right that you made that comment?

Mr. LANE. That is exactly right, and again, it is an experience that I had when I grew up. When I would visit my family from Mississippi in the summers, I saw families who were, as they say, dirt poor, because they did not even have floors. They swept those dirt floors in their houses three or four times a day.

The kids had maybe one change of clothes; they washed it; starched it. Those kids were clean and they were respectful. It was a different value system, and that is what is important. We cannot just throw money at the problem. We have to help public housing

residents regain the value systems that existed in families throughout this country.

Senator ROTH. Mr. Quintana, when Congress enacted, many years ago, the public housing legislation, one of the statements is that they—if I can find it here—this is way back in 1937, that public housing was supposed to be decent, safe and secure for the residents.

In essence, that is really what you are talking about when you address the question of equal protection; is it not?

Mr. QUINTANA. Yes, Senator.

Senator ROTH. The residents of both public or private housing, wherever they are, really have a right to live in a secure surrounding without concern about their children.

Mr. QUINTANA. They certainly do, and I think the point I was trying to make was that the rules that apply in public housing should not be tilted so far to protect those who cause problems that those who are trying to raise decent families in public housing are impeded in doing so to a much greater degree than other families in other housing would be.

Senator ROTH. I think you use the illustration that there were cases that took as long as 19 months?

Mr. QUINTANA. Yes.

Senator ROTH. So, under that set of circumstances, it is pretty hard to fulfill that requirement of equal protection.

Mr. QUINTANA. I think that it is. One of the questions that I have, and I have to pose it as a question because I do not have the answer, is that many people who have testified today say that public housing used to be something that it is not now. I like to think that in New York, it is almost what it always was and indeed, 25 percent of our developments report no or minimal drug problems.

But in those where there is, I wonder whether the downhill trend started at a time when public housing authorities first became encumbered with such numbing procedures that have to be followed to evict people who have violated the criminal laws.

I think that it should not be so much easier in New York City to evict somebody who does not pay rent than it is to evict somebody who causes violent havoc on project and is complained about by decent families for years.

Mr. LANE. Senator, can I just echo what he said?

Senator ROTH. Yes.

Mr. LANE. I have got a case here, a drug case, that has been in process for literally 18 months and it is not settled yet. One of the reasons that I believe New York does not have the crime rate and so forth is that they have and maintain an economic mix in their population.

In cities like Chicago, and other urban areas beginning about 25 years ago, management stopped enforcing the lease; they stopped caring for the property; they began to treat public housing as housing of last resort. I do not see public housing that way, and many of the residents who live in public housing do not either. It is a privilege to live in public housing.

Residents should be responsible for their own behavior—and most accept that responsibility—but they must also receive the

support of management and the court system. It should not take 18 months of going through the court to get rid of a drug household in public housing. Somehow, we need help to change those laws.

Senator ROTH. Ms. Russ, would you care to comment?

Ms. RUSS. Well, in Delaware, I think that the legal processes are a good deal quicker. I do not think there is any less regard in those State legal processes for the due process rights of the individuals involved, but it is a good deal quicker than what has been described in New York and Chicago.

I believe that the efforts that Secretary Kemp alluded to, to streamline the administrative grievance procedure may very well prove to be of great value—more value in some jurisdictions than others—but we will be very interested to see the final regs when they are issued.

Senator ROTH. Well, our time is moving on. I do have a written question from Senator Pryor for you, Mr. Lane, and there will be other questions and perhaps other statements. Your full statement will be admitted as part of the record, and we may submit later questions to each of you, so we will keep it open for an additional ten days.

I want to thank each of you for your contribution today because I think again, what you have had to say has been extraordinarily useful and insightful for the challenge ahead.

Let me say to Mr. Lane, Senator Pryor would like you to supply, if you would, for the record, a brief description of the system of fines and penalties that your residents have adopted.[1]

Mr. LANE. I will be more than happy to submit that to you.

Senator ROTH. Thank you very much for your contribution.

Mr. LANE. Thank you.

Senator ROTH. Our next witness is, again, a resident from Delaware, Ken Finlayson. Ken has been Third Regional Head of HUD for the last 8 years, in which he has made an outstanding contribution to housing in that region. So, I am very pleased to introduce you, Ken. Would you raise your right hand?

Do you swear to tell the truth, the whole truth, and nothing but the truth, so help you God?

Mr. FINLAYSON. I do.

Senator ROTH. In view of the lateness of the hour, I would ask you to summarize your statement as it will be included fully in the record. Mr. Finlayson.

TESTIMONY OF KENNETH J. FINLAYSON, FORMER REGIONAL COMMISSIONER, HUD REGION NO. 3 [2]

Mr. FINLAYSON. Thank you, Senator Roth. Thank you for the opportunity to speak before the Committee.

I do have a full statement, but I will summarize in approximately 6 minutes the contents of that statement.

Being last certainly has its drawbacks, but one advantage is that I have been able to listen to all the statements on this serious issue. It is clear to me that we are struggling over the symptoms of a larger problem. It is also clear to me that the longer we avoid

[1] See Exhibit 14 on p. 213.

[2] See p. 133 for Mr. Finlayson's prepared statement.

addressing the cause of the problem, the worse the symptoms will get.

The root of the problem that is incubating the symptoms of drug abuse and drug related crime in public housing is, I feel, that we as a Nation have systematically, over the last 35 years, converted public housing into a warehouse for the poor and housing of the last resort.

Public housing was originally designed to be a temporary housing resource. During the 1950's and 1960's, demographic changes, as well as the use of public housing for unsuccessful relocatees of urban renewal, began the social and legislative process of conversion to the exclusive use of public housing for those families who found themselves trapped in dependency.

For the next 30 years, the families in public housing who have the same right to be free as anyone, found themselves victims of increased regimentation and paternalism by the Federal Government. The inventory of rules, too long to mention here, go as far as prohibiting pets for the elderly to giving the homeless priority in public housing.

Without debating whether the present use of public housing is appropriate, we have, in fact, warehoused our poor—out of sight and out of mind—and now we are faced with the results of that isolation. It is very much like assigning of percentage of school children to a class for low achievers and everyone suddenly becoming concerned that they are acting like dummies.

The problem is not only in the progressively modified design of the program. The administrative design of the program is also contributing to the problem. Imagine running a large corporation in which your costs are constantly rising and unpredictable; your inventory is depreciating; your customers cannot afford to pay you full retail price for your product; and the Government regulates your prices at below market rates.

To make matters worse, you have to report to several boards of directors on the details of your business; you have long-term capital debt; and you have to annually apply for new capital. These funds are either unobtainable or inadequate. Their availability and amounts are always unpredictable; many times you have an unskilled work force and you face cumbersome bureaucratic procedures.

Finally, your industry has a very negative public image and you cannot merely close up shop and walk away. These are the circumstances of managing public housing today.

In the face of these systemic realties, we are suggesting solutions such as nationalizing the police, issuing I.D. cards, declaring curfews, and waiving grievance rights, to mention a few. So as not to be misunderstood, I am not advocating that we abandon efforts to reduce crime, violence or drug abuse. However, if these are the only measures we take, I fear the result will be to only further imprison our public housing residents.

I encourage you to view these efforts as support to an overall larger strategy designed to eliminate the isolation of our poorest citizens and reduce dependency. The situation is similar to a story that I once heard about the famine in Ethiopia.

A group of CEO's from major U.S. agricultural firms traveled there to assist in technological improvements in farming in the valley. Upon arriving, they saw 500 men, women and children dying each day. They looked out over the land and rather than seeing farmland, saw nothing but vast desert.

In the face of death before them, they urged local leaders to accept their assistance in obtaining food, rather than technology. The local leader said he would surely welcome any food he could, but if he viewed food as the primary objective, his people would become dependent.

The CEO's, nonetheless, urged him to concentrate on the obvious problem of starvation. He replied that starvation was not the real problem. The real problem was that they saw desert and he saw farmland. And then he took the CEO's out into the desert, dug down 2 feet, and produced moist soil. Suddenly, the CEO's saw what he was talking about and they helped him institute a program called Drip Agriculture.

Today, the valley is productive farmland that is providing residents with a permanent source of food, as well as a permanent source of hope and independence.

As I have said, I feel the same may be true with public housing. We are viewing public housing as a social desert, a warehouse for the poor, rather than a resource zone of skilled and unskilled workers that can perpetuate our economic expansion, a community that incubates hope and independence. If we could institute a program that could change that, our drug reduction efforts could support that primary objective.

How can we do that? First and foremost, I believe we need to use the legislative process to encourage self-sufficiency and independence in public housing.

To bring this about, we need to fundamentally change the public housing program from a quasi-federalized administration of bureaucratic red tape to one where local private businesses and entities become active partners with residents in providing a safe and decent living environment.

I strongly believe we must begin to privatize public housing. There are over 3,000 housing authorities across the country who administer 26,000 projects. These projects provide approximately 1.2 million units. The present estimate for capital repairs of current public housing exceeds $20 billion, and HUD funding for capital repairs is presently between $1 and $2 billion annually.

The funding necessary for new capital repairs increases as much as $2 billion each year, and given the present budget circumstances, there is little hope of ever catching up.

I propose that in selected areas, the private sector can purchase and utilize the proceeds from the syndication of tax credits to repair some public housing projects. In addition, the private sector could utilize project base subsidies, such as Section 8, to take the management of the project and continue to retain the subsidies.

The private owner could form a corporate partnership with the residents that could provide turnkey management of the property and gradually turn over its management and ownership to them. Such a program could accomplish the goals of the current adminis-

tration regarding tenant management and ownership without abandoning the residents.

Changing the ownership from a quasi-federalized caretaker to a profit-motivated, private owner would begin the process of converting public housing from a warehouse for the poor. Residents would have a legal and economic interest in the property, providing incentives to maintain the property and encourage self-sufficiency.

The private sector could be encouraged to provide on-site job training and employment opportunities. Support from Federal and local law enforcement organizations would help reduce crime and drug abuse.

I recommend that Congress strongly consider setting aside fiscal year 1990 Section 8 funding to support demonstration projects designed to privatize public housing. The Department of Housing and Urban Development could begin designing a disposition concept that would enhance the opportunity of private ownership in a manner that would ensure the best interests of the low-income families that live in public housing.

Although there are long-term cost considerations, all of the immediate actions by Congress or the adminstration to fund a demonstration, would not cost anymore than what is already appropriated. Tax credits are available in some States and Section 8 is already appropriated. After all, given the present circumstances, I cannot think of a reason not to try something different.

Thank you.

Senator ROTH. Well, Mr. Finlayson, I think you make a very interesting proposal that is worthy of study—that of having some demonstration projects to determine whether the kind of combined operation of the private sector, as well as the State and local government, together with the Federal, cannot bring some not only reform, but more importantly, hope to public housing.

Mr. FINLAYSON. That is right.

Senator ROTH. You were very perceptive where in your written statement when you said too many of our public housing projects are warehouses for the poor, where they are out of sight, out of mind.

As you know, I attempted to paraphrase your proposal to the Secretary to get his reaction. We shall follow through, because I think we need some innovative proposals such as you are suggesting.

The Secretary, and a number of our other witnesses, have discussed, at great length, the importance of securing the active participation of the residents in management and other activities. I understand that there have been some successful attempts at tenant management in both DC, I think the Kenilworth-Parkside, as well as Cochran in St. Louis.

Do you think that these efforts could be implemented on a large scale?

Mr. FINLAYSON. I think the efforts of tenant management are applaudable and have resulted in short-term successes of very large proportions. I know, because as Regional Administrator, I have participated in the conversion of Kenilworth-Parkside.

The problem is the task of managing public housing, especially within the confines of the bureaucracy and the requirements of

HUD and modernization funds, along with the expertise that is required in managing multi-million dollars worth of assets. I think that it has some good short-term gains on tenant management.

Long-term, I question whether tenant management, without support, can survive. That is what I alluded to in my testimony; that in a sense, we should question whether tenant management without support may be an unconscious abandonment.

I think the private sector, for example, could accomplish the same goal intended by tenant management by executing a legal agreement with the tenant association, giving, for example, 10 percent of the equity in the project to the tenants. They then could fall under the umbrella of a private management organization; have articulated in the legal document their rights and responsibilities, and the turnkey training required to assume the responsibility of that large of a task.

I think that over a period of years, whatever that is, that is the best way to train and provide the residents of public housing with the exposure to the complexity of managing.

Senator ROTH. I think for some, your ideas for privatization would be quite controversial.

Have you attempted, in any way, to bring this up with the tenants themselves? How do they look at this proposal, and if we move in that direction, how would they pay for their homes?

Mr. FINLAYSON. Well, I participated in an aborted attempt of one private sector ownership of Schuylkill Falls in Philadelphia and at that point in time, viewed a videotape of the participation of the residents. It is my opinion, based on viewing that, that the tenants fully embraced the opportunity which was afforded to them under that structure.

So, I would expect—and especially hearing the testimony here today, that, given that kind of energy and the need to secure their projects, that they would entertain positively a proposal by the private sector to do that, especially if it resulted in retention of equity in the project.

Some other interesting concepts would be the utilization of properties proximate to the project, such as shopping centers, and actually executing a deal similar to UDAG, where the residents can participate in some net profits generated from the proceeds of such an ancillary project.

To answer your question about the costs, the residents would enjoy the kind of subsidy that Section 8 provides, which would be, in essence, as far as their financial situation, no change whatsoever. They would still pay 30 percent of their adjusted monthly income for rent, and the rest would be paid by the Housing Authority directly to the private owner.

The larger question of costs—I have done a prototype privatization of a real project in Pennsylvania—150 units—and without going into the details, can say, given the fact that the rehab costs are not borne by the housing authority, but paid through the mortgage and the additional reserve for replacement costs, which I think would not be provided in public housing, it would cost about $1 million more over 15 years under privatization than it would with the continuation of the public housing program, which is, considering that period of time, insignificant, given the benefit.

So, I think we need to sit down, under a demonstration, and take a look at those costs in real life and see what the benefits are.

Senator ROTH. Well, time is fleeing, so that ends my questions. It may be that some additional questions will be submitted, but I want to thank you for your interest and your participation, and your innovative thinking. Thank you very much.

At this time, I would like to call forward Representative Al Plant, Reverend Benjamin Brown, as well as Herman Holloway, Jr. Gentlemen, I would ask that one of you, if you would, testify on behalf of the panel. As you know, our rule is that everyone is sworn in. So, will you raise your right hands, please?

Do you solemnly swear to tell the truth, the whole truth, and nothing but the truth, so help you God?

Mr. PLANT. I do.

Reverend BROWN. I do.

Mr. HOLLOWAY. I do.

Senator ROTH. Thank you. I am pleased to welcome each of you here. I would just like to make it clear in the record that Representative Al Plant represents Wilmington Central in the Delaware General Assembly. He has been serving as a State Representative since 1974 and is a member of the Judiciary, Public Safety, Corrections, and Labor Committees. Representative Plant has a reputation for being a tireless advocate for his constituents.

We also have here Mr. Herman Holloway, Jr., who likewise has served in the General Assembly and is active in community affairs.

Gentlemen, as I have said to the last witness, our time is moving on. Mr. Holloway, are you going to be the spokesman? That is my understanding.

Mr. HOLLOWAY. I believe so, Senator, and I think Representative Plant wanted to just make a brief comment and then from there, if it is allowed.

Senator ROTH. Sure.

Mr. HOLLOWAY. Thank you, sir.

Senator ROTH. Representative Plant.

TESTIMONY OF HON. AL O. PLANT, SR., A REPRESENTATIVE TO THE DELAWARE GENERAL ASSEMBLY FROM THE SECOND DISTRICT OF DELAWARE

Mr. PLANT. Thank you, Senator. It is a pleasure to be here with you all.

My comments will be very brief. I would just like to say that I represent some 800 units within my Second Representative District, which is in Wilmington, Delaware. I am very much concerned about the lack of due process. That is my real concern. I want to say it up and above board and up front, that I am against use of illegal drugs in any form or any manner.

I do not want anyone to get the impression that I am supporting someone that is out there selling or using illegal drugs. I want to help the individual if they are using and they are an addict. I want to help them. But I am not here to defend anyone that is condoning the use of or anything of that nature. But I am here to try and defend those individuals who do not have a procedure in place.

I have, for the record, and this is my one and only comment, yesterday, I introduced House Bill 289 to, in fact, force or demand the Wilmington Housing Authority to set in place a procedure which will afford the opportunity for these individuals to be heard in public housing.

Thank you very much.

Senator ROTH. Thank you.

Before I turn to Mr. Holloway, Reverend, would you like to make a short comment?

TESTIMONY OF REV. BENJAMIN T.B. BROWN, ON BEHALF OF THE MINISTERIAL ALLIANCE OF DELAWARE AND THE MINISTERS ACTION COUNCIL, WILMINGTON, DE

Reverend BROWN. Well, just as a matter of identification.

My name is Rev. Benjamin T. B. Brown. I have 25 years of community service in Wilmington in New Castle County of feeding the poor and have given assistance to those who are in need, and 21 years on local TV, and I am here representing the ministers' groups, the Ministerial Alliance of Delaware, and the Ministers Action Council.

Senator ROTH. Thank you for being here.

Mr. Holloway.

TESTIMONY OF HERMAN HOLLOWAY, JR., ON BEHALF OF THE KING CENTER, WILMINGTON, DE

Mr. HOLLOWAY. Thank you, Senator. I just want to say at the outset that it is indeed an honor to have an opportunity to appear here before you, the panel, and to say, from those of us back home who supported you in your last election, we feel you are doing a very fine job, sir, and I am glad that we did that.

Let me say, Senator, at the outset—and I will try to be as brief as I possibly can—I am also a former Commissioner and Vice Chairman of the Wilmington Housing Authority for 4 years. I have been involved with housing, the Wilmington Housing Authority for almost 20 years now. So, a lot of what has taken place and a lot of what is happening is nothing new to me by way of a procedure and some of its problems.

I want to, I guess, preference my remarks by simply quoting our President as he was giving his inaugural address, when he said, "Let us become a more gentle and kinder Nation." And insomuch what he was saying was, let us be concerned about all of our people, let us do all that we possibly can for our poor, our downtrodden.

I guess sitting through this hearing today, I have heard a lot of things that I know are grossly out of whack and I am going to try to show you some case in points in just a moment.

But one of the saddest experiences that I have had since I have been here, Senator, is the fact that Secretary Kemp, Mary Ann Russ, and others who have come here—and I understand people are busy, but it seemed like to me they would have scrapped their schedule to be here, to listen to some of the testimony and even to be around if you had some further questions.

I am almost certain that at least for the Wilmington Housing Authority, when I get done, you will have some further questions.

I want to say for the record, as did Representative Plant, that we do not, in any way, support any illegal drug activity. As a matter of fact, I go further than some of those that I work with—I do not say these gentlemen because we have not really discussed it—that I support, Senator, at random drug testing in a work place.

That is how hard I come down on trying to get drugs out of our community. I do not know how many of you on that side of the table had personal experiences with family members caught up in drugs, but I have and I know the sadness and the heartaches that go with my parents and my family as a result of my brother being caught up for years in heavy, hard drugs, and some very wild and crazy stories. So, I thoroughly understand what we are talking about.

Secondly, let me say that you, the Committee, are hearing a mixture which is extremely confusing, of problem-plagued public housing authorities across this country—PHA's—and at the same time, a problem that has come about over the last few years that further compounds that—the drug epidemic, of which I think many of us will agree we have lost the war, if we even had a war going.

But I want to zero in specifically on the Wilmington Housing Authority and some of its problems and the reason for which I come today. You raised some questions to Ms. Russ specifically about the arrests and the problems centering around those cases that have gone to court. Some are now on appeal and will be heard tomorrow.

We come, Senator, and have taken on the fight, for those innocent victims—not the people involved that have been arrested, the sons—but the innocent victims, the mothers and children that are caught up in a drug policy that says, we will hold the head of household responsible for all members on the lease—the children.

Now, I do not argue that that is a bad thing, but I argue, if things are done haphazardly like it is at the Wilmington Housing Authority, then I say you create a situation to seriously hurt some innocent people.

Now, what am I talking about, first of all? The Wilmington Housing Authority—and this came up, Senator, in their meeting last month and the minutes will show—there were tenants there that got in a big fight with the WHA staff person in charge of handling the drug side, working with the tenants, Vanessa Street.

Let me tell you what happened. The tenants started to attack her in that public meeting because there was a committee put together of tenants—and tenant involvement is extremely important if you are going to get to the bottom of these problems.

There was a committee put together 2 years ago by the Housing Authority, Vanessa Street representing the top management authority and some other WHA staff, to meet with tenants that were appointed to be a part of that committee to sit down, to work—and this was from, for example, the Riverside East Lake area, where all that problem is, by the way—to sit down with the Authority, work with the tenants and try to come up with solutions before the problem got as bad as it did today and work those problems as best they could.

The tenants, Senator, attacked Vanessa Street because for 2 years, they have not been able to meet with her simply because the Housing Authority has been meeting and doing things they wanted to do, with absence of tenant input. Why? Because they said—and Vanessa agreed—that she was calling the meetings, Senator, at 10:30 on a weekday and the people on the committee all had jobs and could not be there.

They said that they had even asked her to set the meetings in the evening of which she had refused. Okay? So, I am just showing you, if the management does not cooperate with the tenants, then you have got that breakdown, and I argue to you that it is not the tenants with the problem, it is the management.

But let us go to some of those eight cases. Some of these will go for trial tomorrow, and I am arguing now, Senator, that the Housing Authority is throwing out its cream of the crop good tenant. Why do I say that?

In one case, one of these on for tomorrow at 1, Mrs. Pearl Ponzo, in Wilmington Housing Authority for 17 years good standing. Mrs. Ponzo's son, Ernest, 22 years old, was arrested for intent to deliver and conspiracy. Now, as a result of that, which involves, Senator—by the way, you hear all this undercurrent talk of trafficking. There is a law that spells out trafficking, Senator, that must be a certain amount, quantity of drug. Okay?

Mrs. Ponzo's son was arrested for a $20 bag—a $20 bag of cocaine. That is not trafficking. Mrs. Ponzo, who has been there for 17 years, has a 79-year-old mother. Her son was not arrested on her property in the WHA unit and on WHA property. As a result of his arrest—and by the way, he does not own a BMW or a new Cadillac or whatever. Senator, the kid does not even own a car. He does not have a car at all.

He returned from Boston visiting 2 weeks with his father. When he come back, was when he did not know they had warrants out for him because this was to an undercover officer, one $20 bag, okay. When he returned from Boston was when they arrested him and he had no drugs whatsoever on him at the time of arrest. Okay?

My point is, again, here is Mrs. Ponzo, a tenant of 17 years of good standing, being kicked out because of being held responsible of what her son allegedly done until last Thursday, because she is the head of household, her and her young daughter. Let me go further just to give you a little on that one.

She goes to court, as I said, to finish her appeal, so the court process is not completed. You are not evicted under the Landlord/Tenant Code and Delaware Code until the court evicts you. Okay?

Now, Mrs. Ponzo, trying to get out because they are saying, hey, you have got to go, she feels she cannot win this because of their policy, Mrs. Ponzo goes and puts in applications all over the place. Well, she has got to say, Senator, where she has been living for 17 years. The woman is being honest. She says, Wilmington Housing Authority.

The landlords call her back or when she checks to see what is going on, if she is going to get the house to get out of their place, they have in her file already, and are telling landlords that she has been evicted for illegal drug activity in her unit. It is a Catch-22.

I want to go to another case, which is Mrs. Frances Sudler, in Wilmington Housing Authority for 32 years—32 years of good standing, never a problem. Here is a woman, one of her sons—let me explain this to you, Senator. I know you want to get out of here, but this is very important.

The Wilmington Housing Authority, in its effort to get a handle on the illegal drug activity in its developments, and God knows we support them there, takes an undercover police officer from Dover—and I am going by his testimony now in the courtroom April 19th because I was there through the whole eight hours of the trial—and it did not go case-by-case. They argued and the judge agreed and supported Housing Authority. They lumped it all together on all eight cases for the argument. So, it was not a case-by-case anything.

But anyway, an undercover officer comes up from Dover. He moves in a WHA unit that they give him as if he is a tenant. He is working undercover to try to get to the bottom of some of the illegal drugs. This officer—and I can understand do something—but this officer, Senator, starts talking with the young men up and down the street, do you know where I can get some blow, meaning cocaine. He is asking everybody going by, where can I get some dope, can you get me some dope.

Mrs. Frances Sudler's son, who is an addict—both of her sons are addicts, by the way—tells him, yes, what do you want. He says I want two $20 bags. This guy goes home, puts baking soda—baking soda—in two plastic bags and takes it to this undercover officer and sells that to him, gets the $40 from him for two $20 bags. Okay?

She goes to court tomorrow at 9 a.m. Now, she has another son that is involved also—and I am sure, Senator, you remember where Ray Evan's Liquor Store is in the Northeast, way across town. This is where they live. Mrs. Sudler's second son was stopped coming out of Brookmont Farm, way down in Newark.

Now, they live in Northwest Wilmington. Neither of these situations happened in her unit and again, she is caught up in this Catch-22 of head of household being responsible. The lady was at work and did not know anything about any of this. Aside from that, let us talk about drug dealers—drug dealers—because I am arguing also, in my arguments, Senator, they are locking up, for the most part, the users.

These folks—one had baking soda, one was involved in a small amount of drugs, not drug dealer—neither of them even have a car, Senator, let alone some big new something and all this money that we talk about of a drug dealer. And none of this again, was in her unit and one may have been on WHA property and may not. Okay?

I want to go to a third that was a part of these eight. Mrs. Martha Harris. Good churchwoman in Wilmington Housing Authority 23 years—and when I raise these years, Senator, to say, at what point are you a tenant of good standing and your word means something, stands for something with the Wilmington Housing Authority?

Mrs. Martha Harris was in WHA for 23 years. Mrs. Martha Harris' son, Edgar, 22 years old, who worked down at the water-

front every day, he had a job. And I am arguing that they had no way of knowing what was going on here, which the Housing Authority seems to think they did. He worked every day down at the waterfront making good money.

Edgar gets involved in the sales—two counts of sales to an undercover agent, not in Mrs. Harris' unit, but four or five blocks away from where they live at and not on WHA property. Okay?

Edgar does not have a car. I know the kid because I live right down the street from him. He does not dress to be elaborate or anything. Edgar goes to court. He is charged with intent to sell and conspiracy, and Edgar is given a 6-year probation. I am not even arguing to defend Edgar. I am arguing to defend his mother, his sister, and a baby that did not have anything to do with it.

Edgar does not have a car. There is no way that the Housing Authority or Mary Ann Russ can sit here and say that we know she knew or we feel she knew because of 1, 2, 3, 4. There is no way that she can do that, Senator.

So, again, what I am trying to show you is the long time tenants of good standing are being kicked out as a result of what their son or daughter—in the most cases, sons—may have done because some of them still have not even been to court yet. Let me explain the process to you as to how this works.

There is no grievance procedure at Wilmington Housing Authority. Mary Ann Russ and the board argues that you can grieve every item on the lease for which your lease can be broken, with the exception of drug arrests—drug arrests. Now, mind you, what happens, Senator, when there is a drug arrest of a family member on your lease, the Housing Authority is made aware of that, however—and I have got some bizarre cases of how they hear about these things—but anyway, they hear about little Johnny getting busted. Okay?

The minute they get that, Senator, it is not all this inquiry or investigation to get the facts—and I can show you cases in points on that—immediately before any hearing or anything to talk with Ms. Jones to see what is going on, the Housing Authority sends you a 60-day letter telling you to vacate the premises because your lease is being terminated for illegal drug activity.

Now, I can support—I think it is ironic that the gentleman who sat here before me, I think from Chicago, and argues a point that for 18 months, he has been trying to get a guy out or somebody with drugs or a drug house. Senator, if they are drug houses, crack houses, if the kid is there selling, peddling drugs out the window, and the mother is sitting over there looking at the soap operas and do not do nothing about it, kick them out and you will not have any argument out of us.

But the problem is, none of these cases fit that, and these people are being thrown out, and there is no procedure for grievance and what the Housing Authority says, rather than waiting for due process—let them go and be found guilty—they do this at time of arrest and do not even bother to talk to the mother.

And then what they do, Senator, they send you that 60-day letter, they say to you then, be gone in 60 days. They have the date there from the date of receipt of the letter for illegal drug activity.

They are accusing you of having done it and the kid has not even gone to court and been found guilty.

So, they say, well, when we argue about—what about a grievance to sit down and talk about these things? The grievance is in the Court 13 when we take you to court. If you are not gone in 60 days, they file judgment against you for possession of your unit, and you have got to go to court and defend that.

So, you are not in the courtroom, Senator, arguing a grievance as to how you got here. You are there in a position as a defendant, trying to defend why you should not be put out of your house. Judge Polling—and I have got articles I can show you—came out and ruled on these eight, ruled against them all on April 17th—came out in a public statement in a news journal and said that in no way did he rule on fairness or constitutionality.

He ruled solely on the language of the lease that the tenant signs off on. He said it is there that you can be put out for this, you can be held accountable as head of household, and you the tenant, signed the lease saying you agree to that.

Well, the Housing Authority hoids that and says, well, that is our key point here. That is what he ruled on, Senator, but the fact of the matter is, it is a shotgun wedding. If you are among the homeless and you just rose to the top, you are going to sign it to get you a house and get shelter. If you are already in, then you need housing, you have got to sign it anyway. You cannot take issue with the drug policy. Or if you do not sign it, Senator, you do not get keys to the house.

So, with that, I could go on and on, but due process, Senator, is not there. It is not there. To do these things at moment of arrest is where we have a serious problem. And again, we are not, in any way, trying to support the guy that got accused. He gets his day in court and whatever happens to him, Senator, that is his problem because he was the one there that got involved. Hopefully, he gets a fair trial.

But again, what I am telling you and trying to get you to see here today is that you have been sold, in my opinion, a gross bill of goods.

I talked with Secretary Kemp about this for an hour and a half last week on the telephone in Reverend Herring's office, after Jesse Jackson came in and got Secretary Kemp on the phone for us. We are not trying to be, Senator, a rabble-rouser or trying to just antagonize Wilmington Housing Authority. We are saying that you are grossly taking advantage of your tenants.

We tried to sit down with Ms. Mary Ann Russ and talk to her about these things. It is out of her hands, it is in the court's hands, let the court decide. This is what we get. No cooperation like you heard from these other two persons. I wish that she was here to allow you to ask her a question about some of this.

And I could go on, Senator, but again, the points that I want to make in closing and winding down and then I will answer any questions you may have, she raises a point—she raises a point—that out of this big drug sweep we had in Wilmington, 151 people were arrested. I am familiar with that and I think you are, too, Senator.

She said 26 people that had WHA addresses got caught up in this. She said they only prosecuted 12. Well, Senator, the question remains, why did you not prosecute that other 14? Why did you let them go? If there was no case against them, then you had to let them go. So, it was not her being fair about it.

So, I am trying to, again, show you things that I would hope create cause for concern, that if nothing else, help the Committee to understand that in no way can you sit and make a rational judgment as to what we do next or what you do next. If you do not, as a court of law, have both parties sitting there—in other words, you have got to have the management and what they are saying and you have got to have the tenants and tenant councils and what they are saying.

Secretary Kemp told me on the phone just what he said to you here today. He sent out a memorandum to all 3,200 housing authorities across this country. And he said to them, send me what you are doing on getting drugs out of these developments because I want to know what is going on and then from there, we will implement a national policy.

That was good, Senator, no problem. But what he did not tell you he did and I mentioned it to him and he did not do it, was he did not send a memorandum to the tenant councils that represent the tenants of these developments and say, how, on the down side of this, is this working. And if he did, he would have picked up Wilmington Housing Authority tenant councils and heard the other side of this thing.

So, with that again, Senator, I do not want to prolong it, but God knows I could go on because it is a gross injustice here.

Senator ROTH. Yes. Let me just ask a question or two because I know everybody is probably anxious to leave.

As you heard earlier, the Secretary said he wanted to be tough with the drug abusers and he wanted to be tough for due process. And you heard a number of others.

You do agree, do you not, that the housing authority has a responsibility for trying to provide safe, secure quarters for its tenants?

Mr. HOLLOWAY. I agree with that wholeheartedly, Senator, and I do have a copy of a proposed drug policy that would satisfy our concerns—I want to leave it with you here today—that we did give to the Wilmington Housing Authority. We stand solidly behind them, Senator, of ridding their community of illegal drug activity. But to do it unjustly, haphazardly without being well-thought out is where we have a problem.

I went to the meeting of June 29, 1988, when the Housing Authority—when Mary Ann Russ first proposed this to the board and it was adopted. And I shared with them then that what you were doing, since you had not well thought this out, was going to get innocent people caught up in it and innocent people are going to be thrown out.

She said, in no way—Senator, I am dealing with the intent of what they done now—she said, in no way is that what we are going to do. That is a matter of record, Senator. No way is that what we are trying to do. That was even echoed by the Chairman of the Board Walker and a couple of the other commissioners. And I

asked them, please let the record so state that because we may have a new executive some time that may not interpret it the way Mary Ann Russ is saying.

The bottom line, Senator, is that these people are caught-up victims of that.

Senator ROTH. I started out at the beginning of this hearing reading what the drug legislation last year provided. It says that a public housing tenant, any member of a tenant's household, or a guest or other person under the tenant's control, shall not engage in criminal activity, including drug-related criminal activity on or near public housing premises.

And the Majority Leader at that time, Senator Byrd, in introducing this amendment, said that this gives public housing agencies the added authority to evict tenants if they, their families, or their guests engage in drug-related criminal activity.

So I think it is fairly clear that Congress intended action to be taken not only against the individual, but that the head of the household take responsibility for the family; would you agree with that?

Mr. HOLLOWAY. I would agree with that, Senator, only to couple it by saying, which is the biggie here, being able to prove or verify, after the proper investigation, that head of household and other family members knew. I think that was the intent of that legislation—if in fact they knew.

I am showing you situations here that go for eviction tomorrow on appeal and we will probably lose the appeal, to be frank with you. But these are people that the Housing Authority cannot sit here and say to you, Senator, we knew Mrs. Harris knew because of this or that.

And that is where my argument is. I support that. I agree with you.

Mr. PLANT. And, Senator, did you not say on or near in that statement that you just read? Did you not say on or near in the statement?

Senator ROTH. Yes.

Mr. PLANT. That is another thing we have to take up because that——

Senator ROTH. I just want to make a final comment, because I do not want to get involved in the particular cases because they are before the judiciary. But I do appreciate all three of you coming here and spending the day when I know you had other matters to do.

But I think you do provide another perspective as we try to continue to address this. The problem, I think we all agree, is that we want our public housing to be drug free.

Mr. HOLLOWAY. Yes.

Senator ROTH. Thank you very much, gentlemen.

Mr. HOLLOWAY. Thank you, Senator.

Mr. PLANT. Senator, would you tell Senator Pryor, who is from my home State, Arkansas, that I said hi? I wanted to say that to him myself.

Senator ROTH. I certainly will. I will be happy to do that.

Mr. PLANT. Thank you.

Senator ROTH. I will introduce an exhibit list as part of the record, without objection.[1]

The Committee is in recess, subject to the call of the Chairman.

[Whereupon, at 1:55 p.m., the Subcommittee was adjourned, subject to the call of the Chair.]

[1] The Exhibits referred to start on p. 139.

APPENDIX

Statement of

Secretary Jack Kemp

Chairman Nunn, Senator Roth and members of the Committee, I am very pleased to appear before this Permanent Sub-Committee on Investigations to discuss the Department of Housing and Urban Development's program to fight drug use and drug dealing in public housing.

When I first became Secretary of the Department of Housing and Urban Development, President Bush asked me to go out to the inner cities across the country to see the challenges that we face as we work to help create jobs, opportunity, and decent, drug-free housing for every American family. Nothing touched me more deeply than the plight of public housing residents terrorized by drug abusers and drug traffickers who have taken over their communities. I first witnessed the drug presence in the Richard Allen Public Housing Community in Philadelphia, where I saw a group of men dealing drugs no more than 100 feet from the door of a Head Start Center where four and five year old children were striving to learn and achieve and gain opportunity. Virginia Wilkes, the tenant manager said "Please Mr. Kemp, get the drug dealers out of Richard Allen and we can turn this community around." I met mothers and fathers fearful of walking the very corridors and stairs of their buildings, parents afraid to let their children play in the playground, and tenants who could not safely ride the elevators without first paying an extortion fee to vicious thugs.

As I went from city to city I saw more of the dreadful effects of the drug trade. But that is not all. I also met public housing leaders and tenant groups that have taken up the challenge, that are seeking now to regain control of their homes and neighborhoods. In Chicago I met an

innovative public housing authority director, Vince Lane, who has developed Operation Clean Sweep. Vince Lane has worked with the police to search every unit from the top to the bottom of the building, at Rockwell Gardens, and those who didn't belong were evicted. A security system was implemented in project so that no outsiders could get in and residents were identified by picture IDs. The needs of the residents for health care, education, job training and other supportive services were surveyed, and families were helped. The buildings were cleaned up, rehabilitated, and made livable.

I also met Robert Armstrong, the director of the Omaha public housing authority. He joins all of us in supporting quality education as one way out of poverty and hopelessness. In Omaha's public housing, kids are expected to study and parents are expected to keep their children in school. For the student with problems, there are five study centers where local colleges and employees of Northwestern Bell Telephone serve as tutors. Parent-teacher meetings are held in the public housing developments, and parents who do not keep their children in school can find themselves facing eviction.

In Trenton, New Jersey, Bertha Gilkey, an experienced tenant manager, was called in to assist the tenants of Miller Homes, nick-named "Killer Homes" because of the many serious crimes committed there, involving 10,000 police calls in a year. The development was not only highly dangerous, but filthy, the hallways and stairs reeking of human waste. The tenants

scrubbed the floors and the elevators and established a 24 hour a day guard in the lobby. The police at a saturation level force monitored the site for 2 months. As a result, there has been a drastic reduction, near elimination of serious crime in the development. And the hallways and stairs smell of Lysol.

After my visit to Richard Allen public housing in Philadelphia, I sent a memorandum out to all 3,300 public housing agencies, asking them what they were doing to "deny access to public housing to those who have consistently violated the law and who undermine the livability of public housing projects." We have received over 1,000 answers, telling us about a variety of strategies that have met with success. These include thorough screening of tenants prior to their admission to public housing; firm, decisive action to evict when tenants are found to be dealing in drugs; a wide range of action to support local law enforcement including additional housing police; maintenance of a drug "hot line" to facilitate reporting of drug related crime without fear of retribution, and tenant patrols; and action to educate youth about the dangers of drugs and to give them alternatives through many different types of outreach and education, including "Just Say No" clubs and Boys and Girls Clubs. I have also asked tenant managers to tell me of their experiences and they are even tougher than the housing authority management in their efforts to get drug dealers out of their communites.

I intend to do everything in my power to support those housing agencies and tenant managers who are determined to rid their communities of the scourge of drugs. The overwhelming majority of public housing tenants are law-abiding citizens, and the drug problem is not confined to public housing. But public housing is my beat, and I want to do all I can to turn those public housing projects that are "free drug" zones into "drug free" zones. Wherever I go, public housing residents express their support for strong actions to drive out the drug dealers and regain control of their homes and their lives.

Together with Bill Bennett and Attorney General Thornburgh, I have announced a 10 point program to fight drugs in public housing:

* Tightening security by quickly evicting illegal tenants, furnishing legitimate residents with i.d. cards, repairing public areas and training guards
* Waiver of unneccessary federal Lease and Grievance Rules to evict tenants engaged in illegal drug activities. HUD will not require duplicative administrative lease and grievance proceedings when due process protections are fully afforded by State or local law.
* Asking U.S. Attorneys to seize apartments of drug dealers and users and return them to legitimate law abiding tenants.
* Reclaiming vacant units for legitimate purposes and denying drug dealers access to such units.
* Enforcing housing code standards.

* Encouraging resident management and homeownership efforts. I am asking Kimi Gray of the Kenilworth-Parkside project and other tenant management leaders to tour with me and teach residents how to remove drug dealers and manage projects.
* Establishing an anti-drug hotline at HUD for residents to report drug-related criminal activity in confidence.
* Terminating immediately eligibility for Sec. 8 rent vouchers or certificates of persons convicted of drug crimes and barring them from other subsidized housing.
* Using modernization funds and operating subsidies to support anti-drug efforts.
* Finding money in HUD to support Boys and Girls Clubs to set up athletic programs in public housing. This HUD secretary believes that there should be baseball and football teams in every public housing project. I'm convinced that would have a significant impact upon putting an end to the scourge of drug trafficking.

In addition, within Departmental programs, I have taken action to encourage PHAs to adopt strong anti-drug programs:

- In FY 1989, funding of public housing modernization will give preference to programs which include an emphasis on physical and management improvements needed to provide greater security.

- PHAs with active anti-drugs programs will also be given preference for new development funds in FY 1989.
- PHAs have received formal notice of the instruction in the 1988 Anti-Drug Abuse Act to include in all leases a provision which makes unlawful drug activity a basis for eviction. Public housing is a privilege, and those who are involved or tolerate criminal drug activity are not entitled to subsidy by the American people. We have also told these local housing authorities that they must make their decisions on a case- by-case basis: There is a difference between someone charged for the first time minor drug involvement and someone who is selling drugs.

- PHAs have also been notified of their option to use Federal marshalls to seize the leasehold under the Federal Controlled Substances Act and have the unit returned to the PHA for rerental.

- We have told housing authorities that they may seek a waiver from Federal administrative procedures, but we will only grant that waiver in states where the due process rights of the tenants are protected. In cases where housing authorities have moved to evict drug dealers in the past, these federal rules have lengthened

the process unnecessarily and the drug dealers continue to live in the community and disrupt the lives of decent public housing residents. To date, we have granted waivers in two states: Massachusetts and Virginia where determinations were made that due process was being followed.

- I will give Director Bill Bennett my wholehearted support in all his efforts towards a drug-free America and a drug-free D.C., including implementing a Clean Sweep Program of local public housing projects with the cooperation of local police and housing officials and with technical assistance from Chicago's Vince Lane.

Members of the Committee, we face both immediate and long term challenges. I believe that just as America has been blessed, it has an obligation to be a blessing to those less fortunate. We must work together, remembering at all times that the total solution is not within the power of the Federal Government alone. We must create opportunities for the private sector, state and local governments, and poor families themselves to reach the common goal.

I look forward to responding to your questions and to working with you in the weeks and months ahead.

STATEMENT OF MILDRED WORTHAM
MAY 10, 1989

My name is Mildred Wortham. I am 35 years old and have three children, two boys (17 and 8) and a girl (13). I live at Rockwell, part of a public housing development in Chicago, and I have lived in public housing since 1961. My parents, who both worked, moved into public housing in 1961 so that they could get a leg up. At that time, public housing was a good place to live, something that would give them the chance to save for a better life. There were flowers everywhere, people worked, there were no drugs, and the Chicago Housing Authority (CHA) really screened the tenants. It was not until much later that the public housing projects became the awful places to live they are now.

I know a lot about public housing. I not only live at Rockwell, I work at Rockwell, too. I have two years of college education in early childhood development. I currently work for the Westside Future Office which is located in the Rockwell public housing development.

The Westside Future Program was designed to deal with the problem of infant mortality. It employs me and my friend, Brenda Stephenson. We are both residents of Rockwell and so we relate well to the people who live there.

Brenda and I both work full time. We try to pay attention to the pregnant women as early as possible and follow her through for the first year of the child's life. We provide a lot of different services, from food to education and employment counseling. Right now, I have 132 cases to work on.

We have a lovely office in Rockwell, and I want to tell you that the office functions so much better since our building was swept. That is why the Chicago Housing Authority calls it its "flagship" building. It's been cleaned up; it's been painted; a security system has been put in place; there are guards; there's an identification system. In short, that building is safe. That's what Operation Clean Sweep is intended to do.

But the building I live in, like most of the others at Rockwell, has not yet been swept. The gangbangers and drug dealers have taken over the place. The Vice Lords run the building. People are afraid to go in and out of the building; children do not go out alone. My oldest son was shot outside my building a month ago. He was caught in crossfire. The people who shot him haven't been caught, so we don't know exactly why they were shooting. But shooting is not uncommon where I live, and that is why I want my building swept.

I am happy to be here today so that I can make this personal request to you Senators to let you know what it's like living in public housing. I am a responsible mother. I work full time and spend one third of my salary for my rent; I take care of my children and still they are exposed to drugs and drug dealers every single day. I know the head of the Chicago Public Housing Authority, Mr. Lane, well. I have talked to him often. He knows that I would like him to come and sweep our building. But apparently, there isn't enough money to sweep all of the buildings. That's why I am glad to be here today to let you know what is needed.

STATEMENT OF EDITH GRIGSBY
MAY 10, 1989

My name is Edith Grigsby. I am 47 years old, and I live in public housing. I have lived in public housing for nine years, but I have only lived for one year at Lincoln Heights. The conditions there are simply horrible. Drugs are the primary problem. There are crack houses everywhere. You may have read about one that was torched recently. There are people selling drugs everywhere you go. Since there is no security, I can't let my kids stay out in the street.

I have three children living with me now. I have three children of my own, but only one of them is living with me. The other two are my grandchildren. The reason one of my grandchildren is with me is because my own daughter herself, is a crack addict. Because of her involvement with drugs, I do not allow her in my house. Let me tell you, I have seen lots of people addicted to this crack stuff. It is very bad. I have seen pregnant women rather do their crack than eat for their babies. It is terrible stuff. And complain as I will, call the police as often as I do, no one comes. No one comes unless there is a television show or a news account. Marion Barry has been nowhere to be found every time we have needed him in public housing.

There is a basketball court across the street, but I can't let my children go there. Bullets have no names on them. I am afraid that my 14 year old would get shot. Isn't it a shame that there is a basketball court and he can't even use it? I know that the City can't do everything. What mostly has to be done is that the parents have to take responsibility for their own children. Do you know what I say to those people who complain that they should not be put out on the street because one of their children is involved with drugs? I say they have other children to watch out for, and if they don't watch out for their other children, then the government should. I say lock these kids up, that are walking around -- teenagers walking around with gold and driving Audi's, lock them up, and lock their parents up too. There is no way my child would come to my house driving an Audi or wearing heavy jewelry without me asking how he paid for that. You can't pay for that kind of stuff on salaries provided by McDonalds.

I favor the curfew law for the same reason. Parents have to be held to account. If they don't, the people go wild on this crack stuff. I saw my own daughter get beat up outside the house. She may be a drug addict, but she doesn't deserve to die. I have seen them beat up mothers. I have seen them beat up one woman with a baseball bat. You don't mess with these drug dealers. They are trouble.

No matter how many times I complain to the managers, nothing has ever been done. These people that are supposed to be running the public housing don't do anything. You have to know what's going on in the projects. You've got to get out there and walk and touch the people and talk to them and see what's going on. And nobody from the District government does that.

STATEMENT OF CHARLES JENKINS
BEFORE THE PERMANENT SUBCOMMITTEE ON INVESTIGATIONS
MAY 10, 1989

My name is Charles Jenkins. For the past five years, I have been living at Claridge Towers, a public housing development located here in Washington, D.C. Claridge Towers is a ten-story building designated for senior citizens and the handicapped. Most of my neighbors on my floor are elderly women. I am fifty-two years old. I have a vision impairment due to diabetes.

The problems of the neighborhood outside Claridge Towers have been allowed inside the building. There are residents who use and sell drugs. Vagrants sleep in the stairwells and laundryrooms. Prostitutes conduct business from apartments in the building. Two years ago, an eighty-six year old woman in my building was bludgeoned to death in her apartment.

I am not always aware of everything that goes on in the rest of the building, but I can tell you about some of the problems on the ninth floor, where I live. About a year and a half ago, a man living on my hall was selling drugs from his apartment. Each day, there was a steady stream of customers entering the building through the garage door and taking the elevator up to the ninth floor to buy drugs. Just about a month ago, on April 12th, my next door neighbor was robbed at knifepoint in her apartment. Mrs. Fallows is a tiny, eighty-four year old woman. She made the mistake of letting someone that she had seen in the hall before come in her apartment to use the telephone. The assailant produced a knife and told Mrs. Fallows that she needed money for dope.

It may be hard to believe that these kinds of things can take place in a building intended for senior citizens and handicapped persons. There are several reasons why they do. First, not everyone in the building is authorized to live there. Some residents violate the rules by allowing friends, children and grandchildren to live with them. And some of these unauthorized residents - I call them squatters - bring crime and drugs into the building. Second, the security system is just not good enough to keep trespassers out of the building. There is never more than one guard on duty at a time. The guard is supposed to monitor the traffic coming in the front door. But, there are other ways to enter the building which are completely unguarded. Third, some of the residents who are considered "handicapped" have just been released from mental hospitals, or are addicted to alcohol or drugs. I know that such people need places to live, but I question the wisdom of having them share a high-rise apartment building with senior citizens.

I am lucky; the strangers in the building don't threaten me, probably because I am six foot four inches tall. But I just can't mind my own business while they victimize my elderly neighbors. I have two elderly parents myself: one seventy-five, and one eighty-three. When I look at my neighbors, I see my parents. I certainly wouldn't want my parents to live with the fear that older residents in Claridge Towers live with. So I complain to the management in my building, and I write letters. I have written to City Council members, the Housing Department, the Mayor, and members of Congress. For this reason, I am considered a troublemaker.

It doesn't have to be this way. Things were better in the past at Claridge Towers when the management held residents to a higher standard of respect for the building and their neighbors. The current situation won't improve until the security system gets better, and until the Housing Department evicts the residents who are either harboring or are themselves engaged in criminal activity. With all of the illegal activity that has taken place in my building, I've only known of one eviction that was actually carried out.

Most of the problems in my building have been allowed to fester for years. Claridge Towers is located in an area where property values have been increasing lately. At least one other building in the neighborhood that used to be a public housing development has been sold to private developers. Sometimes I wonder whether the D.C. Housing Department is deliberately neglecting my building because they have plans to sell it as well, and move the residents somewhere else.

I worry when drugs have become so pervasive in our society that they can't be kept out a building intended primarily for senior citizens. I'm not smart enough to come up with the answer to the drug problem. But if something more isn't done to address the problem, I think our cities will someday be faced with anarchy.

Testimony of MaryAnn Russ, Executive Director, Wilmington Housing Authority, Wilmington, Delaware before the Senate Permanent Subcommittee on Investigations, April 10, 1989

Good Morning Senator Roth, Senator Nunn, members of the Subcommittee, Subcommittee staff and other witnesses. My name is MaryAnn Russ and I am the Executive Director of the Wilmington (Delaware) Housing Authority. I appreciate this opportunity to tell you about the Wilmington Housing Authority's program to reduce drug abuse in the properties we own and manage.

Background

First, I would like to make a point that may seem obvious - drug abuse is a nationwide problem that affects families of all income strata and lifestyles. While there has been a great deal of publicity about drug abuse in public housing in recent weeks, there is drug abuse in the neighborhood I live in and there is probably drug abuse in the neighborhood you live in too.

Acknowledging the widespread nature of the problem of drug abuse does not excuse us from having to deal with it, however. Both public housing authorities and the federal government have an explicit responsibility for curbing drug abuse in public housing.

The 1937 Housing Act charges us with the responsibility to operate "decent, safe and sanitary housing". One may well question how decent, safe or sanitary an environment can be when drug abuse is rampant and drug dealers, armed with automatic weapons, conduct their illegal transactions 24 hours a day within a few feet of courtyards where children play. This frightening description applies to many public housing neighborhoods, including one in Wilmington.

The Wilmington Housing Authority has a three-part program to attack drug abuse:

- An education and prevention program aimed at young children, youth and their parents. The goal of this effort is to prevent drug abuse.

- A treatment program for tenants who come to us seeking assistance to break their dependency. The goal of this function is to help tenants with addictions to overcome both their physical addiction and the circumstances that lead to the addiction.

- A lease enforcement program that evicts families that either use or traffic in drugs or condone their use or sale. The goal of lease enforcement is to ensure that families that violate the terms of the lease are not permitted to remain as residents.

Drug Abuse Prevention

WHA's drug abuse prevention effort uses a combination of incentives that are designed to educate children and youth about the danger of drug abuse while involving them in activities they will enjoy. Examples of our drug abuse prevention program range from rap concerts and family picnics to coloring, poster and essay contests. Wilmington Housing Authority has established a scholarship program funded by staff contributions. We are currently seeking corporate sponsorship to extend this program.

In each instance we set up an activity aimed at a specific age group and host an event with an explicit anti-drug message. Tee shirts, buttons and other wearable items carry our anti-drug information to kids who might not participate in an individual event.

Drug Treatment

Wilmington Housing Authority is not in the drug treatment business, but for many of our residents we are the primary source of help and information. When a resident comes to us acknowledging a problem with drug abuse, we put our social service network into gear to find them drug treatment.

For individuals who are deeply hooked on cocaine, crack or heroin, a long-range residential treatment program is the only realistic method to help them overcome addiction. Since all our residents have very low incomes, finding such residential treatment opportunities that are affordable is a real challenge.

It is apparent that Delaware needs a long-term drug rehabilitation facility where mothers could take their young children with them while the mothers receive treatment. We have had treatment slots

lined up for women who were unable to take advantage of them because they could not find someone reliable to care for their children.

At this time WHA is seeking someone with funding and expertise to operate such a facility in Wilmington. We can supply a building for the facility if a program can be located to move into it.

Lease Enforcement

The final component of WHA's anti-drug initiative is lease enforcement. The goal of this activity is to encourage people who wish to sell or use drugs to move out of WHA apartments. Under our lease the head of household is held responsible for the activities of all members of the household, so if any member is engaged in drug trafficking, the entire family risks eviction.

When the police arrest someone on a drug-related charge and he or she gives a public housing address , the information is passed through to WHA. We then must make a determination about whether the lease has been violated. If the arrest is for drug trafficking on or near the property of WHA or it is a second or subsequent arrest , we usually proceed with an eviction using the Authority's lease and the judicial eviction procedure of the state of Delaware.

In fact, what we are encouraging is that household heads take full responsibility for the members of their families. If the family contains an individual whom the head cannot control, we believe the head should take that person off the lease and put him or her out of the unit to avoid risking the entire family's housing. We believe that the family should enforce behavioral standards itself rather than expecting the police or housing authority to take full responsibility after a drug arrest has taken place.

WHA has been widely criticized by some community activists for our drug evictions, although they are fully consonant with the public housing lease regulations and the new statutory lease language from the Omnibus Anti-Drug Law enacted last November. We are supported in our tough lease enforcement stance by the majority of our residents who clearly have the most to gain from reducing illegal drug activity in our developments.

Conclusion

Getting drugs out of public housing is a tough job that requires a coordinated approach and the cooperation of many agencies. No public housing agency acting alone can provide the full range of educational, rehabilitation and police services needed.

If WHA could get financial support for its efforts we would not ask for any supplemental funding for ourselves, but we would like to see money for additional drug treatment facilities and additional police officers assigned specifically to patrol our developments. We are willing to continue to fund educational and preventive programs that supplement those already offered by the schools and civic associations.

Thank you, Mr. Chairman for your attention and the opportunity to testify before you today. I would be glad to try to answer any questions you might have.

TESTIMONY OF VINCENT LANE
CHAIRMAN, CHICAGO HOUSING AUTHORITY

MAY 10, 1989

I. INTRODUCTION

Thank you, Mr. Chairman, and members of the committee, for inviting me tc testify on the problems of crime and drugs in public housing. My name is Vincent Lane and I both the Chairman and Executive Director of the Chicago Housing Authority.

The Chicago Housing Authority (CHA) is the second largest housing authority in the nation. We manage over 40,000 units of conventional public housing. Approximately 150,000 persons live in CHA housing, which would make us the second largest city in Illinois.

During the past several months, the CHA has received significant media coverage of its Emergency Housing Inspections Program, popularly known as "Operation Clean Sweep". I want to explain how this program works and, more importantly, why we felt that the sweeps were absolutely necessary at the CHA. At the same time, I want to dispell any possible misperceptions about the program. The sweeps are not, as many have been led to believe, a

law enforcement program. Rather, the sweeps are an effort to gain back control of our properties from the drug element and to restore and maintain these buildings to decent levels of habitability.

The sweeps are not a panacea for the drug problem in public housing. They have been effective for us in making significant reductions in criminal activity, but not without substantial sums of monies. In fact, because of limited resources, we cannot undertake many more sweeps. We are especially concerned about how to fund the follow-up security and related tenant services that are essential for long term success.

I appreciate the opportunity to come before this distinguished committee to discuss our sweep program; however, I hope that this hearing begins a much broader look at the growing social problems that plague so many of our nation's inner city public housing projects. In Chicago, more than 80 percent of our family units are headed by single-mothers on welfare. We desperately need to do something about the drug problem. But the battle against drugs in public housing will not be won unless we also address the unequal distribution of income and opportunity in this country. The drug problem is merely symptomatic of broader social changes that have devastated poor communities throughout the nation in recent years and for which there are no quick fixes.

II. BACKGROUND

Nine months ago, I was appointed both the Chairman and Executive Director of the CHA. At the time, the agency was in a shambles and the U.S. Department of Housing and Urban Development (HUD) was threatening to take over day-to-day operations. The CHA had been through five executive directors in less than four years and several of the top management staff positions were vacant. We had an operating deficit of more than $20 million and it took months for our maintenance workers to fill a routine work order.

To turn the agency around, we put together a crisis management team consisting of professionals in finance, real estate, construction, security, personnel, tenant affairs, and law. With the strong support of the civic and business community, and with the active cooperation of HUD, we have begun to make real, operational improvement. We have balanced our budget, recruited top management staff, stabilized our vacancy rate, and initiated several tenant management demonstration programs. While I am the first to admit that we have a long way to go, the CHA is finally on the road to true reform.

Two of the greatest challenges now facing the CHA are the interrelated problems of crime and drugs. When I arrived, virtually all of our family high-rises were overrun with drug dealing gangs. The gangs controlled access to and from the buildings and virtually all forms of commerce. When we talked to residents, many said they felt trapped in their homes, held hostage by the drug dealers who trafficked their trade in the hallways and on project grounds.

In 1988, nearly 7,000 serious crimes were reported on CHA property -- 19 every day. The crime rate exceeded twice the city average and more than seven times the national average. Actually, these statistics far understate the true level of violence. Because of the ineffectiveness of police and the fear of retaliation, a great many crimes go unreported. In fact, since implementing the sweep program, we have noticed that residents, because they now feel more control over their environment, are reporting more crime.

The drug problem is not unique to the CHA or, more generally, to public housing. The drug epidemic is nationwide. In public housing, however, these problems are often compounded by the intense concentration of poverty, by long-term physical neglect, and by fatal design flaws.

From 1938, with our first project, Jane Addams Houses, to 1954, the CHA built 12,460 public housing units. All but 950 of these units consisted of garden-style or walk-up apartments. Although the units were often small (650 square feet for a 2-bedroom apartment), and although the buildings themselves were architecturally undistinguished, they were quite functional. They were also solidly built, made of brick and constructed to the highest standards. In 1950, the CHA built its first high-rise project, Dearborn Homes. During the period from 1957 through 1968, CHA completed 15,591 family units, of which all but 696 were in high-rise buildings. Altogether, we have 116 family high-rise buildings.

The high-rise was part of the vision of the new, post- war city -- clean, efficient living with plenty of open space for recreational and play areas. Many of our high-rise projects won national and international design awards. Today, these projects are nearing functional obsolescence. The majority of our high-rises were built, in fact, with exposed elevators, open-air galleries, and with lobbies and entranceways that provide free access to the public.

In the early years, these design mistakes were negated by the composition of the resident population. Admission to CHA housing

was restricted largely to two-parent, working families. These were stable communities with strong neighborhood identification and high standards for behavior. According to Elizabeth Wood, who ran CHA for its first two decades, "the residents were thoroughly screened, and there was no question that they were upwardly mobile". Many really believed that public housing would be an instrument for change and an agent for upward mobility. And, for at least the first few decades, public housing did just that.

By the 1960s, however, the demographics of public housing had shifted. No longer was the CHA serving predominantly the submerged middle class. Instead, it was becoming the housing of last resort, the result of much larger social and economic forces affecting our nation's urban areas. As this happened, institutional abandonment followed. Today, public housing in Chicago, as is probably true in many of our older industrial cities, is home to a large grouping of families who are isolated from the mainstream of American society. The typical head of household is now a single mother on welfare who has not finished high school and who has experienced a lifetime of failure -- in school, at home, and on the job. Her income from welfare, and from whatever part-time work she can get, nets her less than $5,000 annually, or about 15 percent of the median family income for the nation as a whole.

The gang and drug problem at the CHA, however, are not simply a function of poverty. There are many poor neighborhoods in Chicago without a major drug problem. The situation at the CHA is such because we walked away from these properties. We stopped providing the most basic level of services. We also stopped enforcing the lease or making residents accountable for their actions. The buildings, often covered with graffitti or checkered with boarded-up windows, are clear evidence that the gangs, not management, police, or residents, are in control. Dark hallways, broken elevators, open-air entrances, and vacant apartments all compound the problem and make these buildings havens for criminal activity. It is a vicious cycle. With an increase in crime, the more mobile residents move out. The vacant units are then vandalized. As maintenance costs increase, work gets deferred. Gradually, the buildings become islands of poverty and deprivation, conditions which make normal police work impossible.

III. GOALS OF THE SWEEP PROGRAM

As a result of the situation at CHA, we decided that we had to take three major actions and that these actions would have to be undertaken simultaneously. We had to secure the buildings, improve the physical environment, and restore pride and confidence among tenants and staff.

If we only secured the buildings, but did not improve the physical conditions -- the dark hallways, the broken elevators, and the abandoned cars -- that contribute to the problem, the impact on crime would be minimal. Conversely, the physical improvements could not be sustained unless we also controlled access to the buildings. We also recognized that resident support was essential. We had, however, to win back their support and demonstration our resolve not only to crack down on drugs, but also to improve the overall quality of life. Consequently, the sweeps would also be a vehicle for making basic repairs to occupied units.

IV. SWEEP PROCEDURES

Under the program, the Chicago Police Department first dispatches 50-60 police officers to secure the perimeter and interior areas of the building. Next, CHA teams enter the building to inspect each apartment and all common areas, both to identify deferred work items and to ensure that only legitimate lease holders remain in the building. If controlled substances or other contraband are found, the police are called in to make arrests. The bulding is then "secured" by enclosing the lobby. Following the sweep, CHA repair crews remain at the development for a period of several weeks to make necessary repairs and to ready vacant units

for occupancy. Additionally, a new visitation policy is instituted, restricting access to residents and accompanied guests. All residents are issued photo identification cards, which they must present at the security desk to enter the building.

Probably the most controversial element of the sweep program has been our visitation policy. Initially, guests were required to provide positive proof of identification prior to entering the building and were not allowed to stay after 12:00 a.m. While we continue to require registration, we no longer ask for positive identification or require guests to leave at midnight.

V. LESSONS LEARNED

We have now swept eight buildings, including one last Thursday. Through it all, we have learned a great deal and have built on our experiences. I have attached to this testimony a summary of our sweep procedures and, therefore, will not go into detail here. However, I do want to make a few comments. First, the sweeps have been very important symbolically. For years, residents lived in constant fear of the drug dealers. The sweeps have restored faith in the residents that the CHA will no longer tolerate these conditions. One of our biggest problems, in fact, is that we simply do not have the resources to sweep all the buildings that residents

want us to sweep. The most common request I hear from residents is, "When are you coming to sweep my building?". The sweeps have also been a tremendous morale booster for CHA staff. Mr. Chairman, I cannot tell you how proud our managers and maintenance staff are of th work they have done to clean these buildings. It has provided them with a great sense of accomplishment and a hope that we can turn things around.

Second, while absolutely essential, the sweeps are extremely costly and their continuation depends on securing additional resources. We estimate that it costs about $150,000 to sweep a 100-unit building, a figure that includes the costs of follow-up repairs but does not include the Chicago Police Department costs during the day of the sweep. Several hundred thousand dollars more are needed annually for the on-going cost of security and related drug intervention and prevention programs, although it is hoped that resident participation in tenant management can reduce this cost. Overall, very substantial sums are needed to continue the sweep program.

Third, the sweeps require a tremendous amount of planning, coordination, and skill. We did not decide overnight that we would sweep a building. The first sweep was three months in the making. During this period, we had extensive meetings with our own staff and

with the Chicago Police Department. We even held a trial-run. I caution other housing authorities not to initiate their own sweep programs until they have fully worked things through with their staff and local police.

Fourth, while the sweeps have been essential for the CHA in fighting the drug problem, they may not be appropriate for other housing authorities. First, the gang problem may not be as severe as here at CHA. Second, other agencies may not have family high-rises with large vacancy problems or open entrances. It would be far more difficult to secure and sweep a low-rise project spread out over 20 or more acres.

VI. CONCLUSION

The purpose of the sweep program is quite simple: to make our buildings better places to live. It was our firm belief that, until the buildings were secured, and the gangs removed, we could not guarantee the safety of residents, guests, and staff.

The sweeps are not the answer to the drug problem in public housing. In Chicago, however, they are an essential first step. To continue the sweep program and other follow-up services, substantial sums of money are needed. Housing authorities do not have the

resources to pay for these kinds of programs. We urge the Congress, therefore, to increase the Allowable Expense Level in the Performance Funding System to include the added costs of security and related tenant services. We also urge the Congress to fund the Comprehensive Improvement Assistance Program at levels sufficient to modernize our public housing inventory. The best medicine against crime and drugs is a stable, healthy community. To build such communities, however, we need more funding for modernization.

CHICAGO HOUSING AUTHORITY

EMERGENCY HOUSING INSPECTIONS PROGRAM

("OPERATION CLEAN SWEEP")

APRIL 10, 1989

This memorandum summarizes the steps taken by the Chicago Housing Authority (CHA) in connection with its Emergency Housing Inspections Program, popularly known as "Operation Clean Sweep". Emergency Housing Inspections, or "sweeps", have been instituted in five high-rise apartment buildings, containing a total of 900 units.

A. Background

The CHA is the second largest housing authority in the nation, with 50,000 units under management. These units are contained in some 1,500 buildings, predominantly in the south side of the City. Approximately 150,000 people live in CHA public housing, or about 5 percent of the City's population. Seventy-five percent of the units are rented by non-elderly households. The median household income is $5,000, or about 15 percent of the median for the nation.

Over the past twenty years, conditions within CHA developments have steadily deteriorated. The properties are overrun with a host of social problems, including crime, welfare dependency, illiteracy, and substance abuse. These problems are compounded by long-term physical neglect. Approximately 80 percent of the family units are rented by single-mothers on public assistance. CHA developments are believed to have the largest concentration of poverty in the nation.

Within just the past few years, crime and drug use has reached emergency levels. Overall, the incidence of violent crimes at CHA developments is twice the city average. At certain developments, crime is four times the city average.

Violent Crimes Per 1,000 Residents

Rockwell Gardens	83.9
Stateway Gardens	89.9
Cabrini-Green	40.9
Remainder of Chicago	22.4
National Average	6.2

Source: Newsweek.

Because a great many crimes go unreported, the above

statistics understate the actual number of crimes committed. Many residents no longer report crimes because of the perceived ineffectiveness of police action.

Gangs represent the most serious crime problem at the CHA. The gangs now control access to the high-rise family developments, intimidating both residents and employees. Often, residents must pay to enter the buildings or to ride in the elevators. On many occasions, gangs have opened fire on buses, pedestrians, and on opposing gang members.

Because of the dominant nature of the gangs and their willful use of violence to protect their turf, the authority cannot meet its mission of providing decent, safe, and sanitary housing. The vacancy rate at the high-rise family developments now exceeds 25 percent, as many residents have moved out of the buildings. At the same time, maintenance crews often cannot enter the buildings to make repairs. Even when repairs are made, particularly to common areas, the gangs are quick to vandalize.

B. Assessment of the Problem

From discussions with CHA staff and members of the Chicago Police Department (CPD), it was determined that the only way to significantly reduce crime at the high-rise family developments would be to "clean" the buildings of the drug dealing gangs, once

cleaned, to keep them from returning. Few of the drug dealers or gang members are listed on the lease, but reside either illegally with residents or in vacant apartments.

Because the gangs have highly sophisticated forms of surveillance, it was determined that "incident-oriented" police procedures were no longer effective. Rather, it was determined that the buildings would have to be inspected "en-masse" and also that entrance into the buildings, which were designed without enclosed lobbies, would eventually have to be secured and monitored.

C. Sweep Procedures

The basic components of the Emergency Housing Inspections Program are described below:

1. SELECTION OF SITE.

   - Chairman makes selection of site the night before the sweep. Decision is made on the grounds that there is an immediate threat to the safety and welfare of residents and employees. Chairman notifies department heads and Chief of Police. No other staff are informed.

2. OFF-SITE STAGING AREAS.

   - Resident services, management, and security meet the morning of the sweep at staging area to review procedures prior to leaving for the sweep building.
   - Police also preview sweep procedures at their own staging area.

3. POLICE SECURE PERIMETER OF BUILDING.

- Approximately 60 police officers arrive on site. One police officer is positioned at each egress on each floor. Additional police surround the exterior grounds. No one is allowed to leave the premises without identifying themselves.

4. POLICE NOTIFY STAGING AREA THAT BUILDING IS SECURE.

- After police secure the building, the police call CHA staging area to notify sweep team to leave staging area.

5. NOTIFICATION OF PRESS AND LOCAL OFFICIALS.

- Once the police call the staging area and indicate that the building is secured, CHA staff notify press and local officials that operation is underway. A press package is made available and a person is left behind to handle calls and questions.

6. OPERATIONS CENTER OPENED.

- When sweep team arrives at the building, an Operations Center is opened on-site to issue resident photo-identification cards, to process work-orders, and to provide counseling and information to residents.

7. INSPECTION TEAMS INSPECT UNITS.

- Four to six inspection teams are sent into the building. Inspection teams inspect every unit and all storage, common, and utility rooms. Teams complete one floor at a time. Teams consist of a representative from resident services, maintenance, and a security guard. Police do not enter occupied units and are called in only if needed. If guns or drugs are found inside the apartment, the inspection team steps out of the unit and requests police to enter the unit. An emergency inspection form is completed for each unit. Staff examine all structural elements to determine if unsafe and unsanitary conditions exist. The team is instructed not to inspect the person or personal property of any individual. All occupants are checked against the lease.

8. COMPLETION OF INSPECTIONS.

- Following completion of inspections, the police leave the development. CHA then secures the building and provide 24-hour security protection.

9. LOBBY ENCLOSED.

- o A repair crew seals off front and rear entrances with plywood. This temporary enclosure is then replaced, by the end of the day, with iron gates and panic bars.

10. GUEST POLICY INSTITUTED.

- o Residents are asked to remain in their units until the entire building has been inspected. Following that period, which takes approximately 2-3 hours, residents are requested to report to the Operations Center for issuance of a photo-identification card, which now must be shown to enter the building. Persons not named on the lease are given the option of being placed on the lease, acknowledged as a tenant-guest, or permitted to leave the building if not authorized to be there. From this point onward, security guards restrict entrance to the building to residents and their guests. Guests must register at the security desk.

11. BUILDING REPAIRS.

- o Over a period of several weeks, a repair crew remains at the development to complete work identified on the emergency inspection forms. Work generally includes: (1) rehabilitating lobby areas, (2) repairing garbage chutes, (3) repairing lighting fixtures (interior stairs, lobby and exterior), (4) painting stairwells and common corridors, and (5) removal of exterior building graffiti.

12. FOLLOW-UP SOCIAL SERVICES & RESIDENT EMPOWERMENT

- o Activities include establishing floor captains, building councils, resident lobby guards, resident security guards, and a resident/management screening and eviction committee.

It should be further noted that certain changes in procedures were made between the first and last sweep. For example, pursuant to a lawsuit from the American Civil Liberties Union, the CHA no longer requires that guests leave the building by 12:00 a.m.

D. Special Problems and Procedures

I. Photograph Identification of Tenants

While inspecting the apartments, inspection teams request that all CHA tenants whose names appear on the lease to go to the Operations Center to have a photo identification taken. When a tenant who was not at home during the sweep returns to the building, they are instructed by the security guards at the front door to report to the operation center to receive a photo identification card.

II. Persons Not Named on a Lease

In the event that persons not named on the inspection lease are found in the building, they were requested to go to the Operations Center. Once in the center, any such individual is given the choice to: (a) be placed on the lease and receive a photo ID, (b) leave the building, or (c) request that they remain as a visitor.

III. Visitation Policies

During the day of the sweep, a formal Visitation Policy was posted on the walls and common areas of the

buildings. In short, the Visitation Policy requires visitors, upon entering the building, to identify themselves and sign in. Each visitor has to receive the expressed consent of a tenant in that building prior to entering.

IV. Sensitivity to Individual Needs

Implementation of the visitation policy and the requirement that tenants obtain a identification card calls for special efforts by the CHA to meet the needs of certain individuals.

For example, the sweeps were conducted on school days, to insure that young children are not present in the buildings at the time of the sweeps. This means that children will return to their homes after school to find that the building has been secured. Under the photograph identification procedures and visitation policy, children over the age of seven (7) are issued identification cards. Before they are issued the cards, however, they must show that they are on the lease. To handle this procedure, CHA sets aside a separate room inside the building where children can wait, play and study, while CHA staff locate their

parents or make arrangements to let them into their apartments.

Also, it is necessary to show special care to the infirmed and handicapped. Many individuals could not physically go to the Operations Center to have pictures taken of them, and therefore, the CHA had to make special arrangements for these people.

V. Post-Sweep Repairs

Repairmen and artisans remain at the developments over the next several weeks to complete repairs. The costs of the repairs vary from building to building based on the conditions of the units, the number of vacancies, and the configuration of the buildings.

VI. Vacancy Reduction

Following the initial inspections of each of the apartments, repairmen and artisans work extensively to refurbish vacant apartments. In instances where extensive vacancies exist, a vacancy consolidation program is instituted, whereby the top floors are sealed until renovations can be completed, one floor at a time.

VII. On-going Security

Following the sweep, a twenty-four hour security staff remains at the development. On-going cost security is estimated to cost around $300,000 per building, an amount that cannot be sustained under the performance funding system.

VIII. Follow-up Social Services

Resident services makes contact with the residents to provide counseling and support services.

TESTIMONY OF
MANUEL H. QUINTANA
GENERAL COUNSEL
NEW YORK CITY HOUSING AUTHORITY

The New York City Housing Authority has been actively fighting illegal drug trafficking in its developments ever since the "crack" epidemic hit New York City - and the nation - with virulence in 1986. New York's public housing operation is by far the nation's largest. The Housing Authority's 318 developments with nearly 179,000 apartments house 570,000 people. Although drug traffic is certainly not peculiar to public housing - indeed the projects are in the main less afflicted than their surrounding communities - nevertheless there is a serious drug problem. Because the projects are usually located in inner- city, poor areas and are anchors of social stability in those neighborhoods, it is imperative that they be defended at all costs.

On September 10, 1986, Authority Chairman Emanuel P. Popolizio wrote to Mayor Edward I. Koch outlining his plans for a special narcotics task force to enlist tenants and staff in the fight against drugs. "Crack," he said, is a poison that must not be allowed to infect the blood stream of the best public housing program in the nation."

The Housing Authority entered the struggle with certain human and material resources developed in its over150-year history of providing decent shelter to low-income families at rents they can afford:

It has a staff of nearly 15,000 employees who show dedication and high morale in managing and maintaining the projects in liveable condition. The Housing Authority has no

vacancies. It collects nearly 100% of its rents, and the waiting list for public housing in New York City numbers 200,000 families.

It has a police force of over 2,200 men and women who have the same legal powers and receive the same pay, training and benefits as city police officers. Stereotypes of crime-ridden projects notwithstanding, the crime rate in our public housing remains half that of the city as a whole - and the presence of the Housing Police must be counted a strong factor in keeping the projects safer than their surrounding communities.

The Housing Authority has a city-wide network of over 200 Tenant Patrols with 15,000 active volunteers. They form a vital link in the Housing Authority's - and the city's - security chain and, together with Tenant Associations, afford direct outreach into the tenant community.

Public housing in New York City, then, is not a house of cards waiting to be pushed over by the drug dealers. Media reports are inaccurate when the characterize public housing as almost the sole fount of crack and other dangerous narcotics. The public housing projects, with their large concentrations of minority poor, are the largest and most easily accessible targets for lurid headlines, pseudo-sociological "analyses" of the drug problem and TV "exposes." This pandering to an unfair national stereotype of public housing evokes great

bitterness among our tenants and staff. It further distorts the picture by focussing attention almost entirely on the low-level street drug pusher who - evil though his presence is - is still but the last and lowest link in the twisting chain of the multi-billion dollar, multi-national drug traffic.

That drugs were a serious and encroaching problem in the projects was confirmed by a city-wide survey of project management made by the Tenants Remedies Action Committee of the newly formed task force. Some 40% of the project managers described the problem as serious, 33% as moderate and 25% described it as minimal or non existent. Many cited problems caused by drug usage as increased vandalism, robberies, harrassment or intimidation of tenants by drug dealers, and increase in burglaries and in child neglect cases.

Thirty-three percent of the developments said the sale of drugs on project grounds was their main problem; 18% said the main problem was sale in apartments. Eighteen percent said the main problem was use of drugs on project. Twelve percent indicated that non-residents were responsible, 6% that residents were responsible, the others observed that the traffic involved both residents and non-residents. Thirty-eight percent of the developments indicated that the drug trafficking was operated by individual unorganized dealers, and 15 percent said that the trafficking appeared to be operated by an organized narcotics network. Sixty-three percent indicated that crack was the drug most frequently sold or used at the projects, 10% said it was

cocaine and 1.4% said heroin. Project managers indicated that there was a strong need for drug prevention and education services.

The New York City Housing Authority Drug Task Force functions through a planning body responsible for developing strategies. It reports directly to Chairman Popolizio. These strategies were from the outset aimed at the greatest possible involvement of tenants through Tenant Patrols, Tenant Associations, the city-wide Tenant Advisory Council as well as community organizations and other resources. A concomitant effort was made to involve project managers and other field staff.

The overall strategies are carried out by three committees:

The Enforcement Committee coordinates law enforcement and eviction policies.

The Prevention and Education Committee is responsible for developing effective programs for drug prevention and education, job training and opportunities and promoting tenant involvement.

The Employees Committee is charged with developing effective anti-drug policies and measures for employees.

The Enforcement Committee's police effort has been conducted along the following lines:

In September 1986, a squad of 21 specially trained

Housing Police Officers was incorporated into the City Police Department's Organized Crime Control Bureau (OCCB). To date, 32 "sweeps" of projects have resulted in 3,500 narcotics arrests and the confiscation of large amounts of drugs, drug paraphernalia, weapons and money. An additional 12 Housing Officers are now assigned to the City Police Department's Tactical Narcotics Team (TNT).

The goal has been from the outset to let the dealers know that trafficking in drugs is not a free ride, that a toll will be exacted.

Besides the special squads, overall police activity against drugs was intensified. Drug arrests in public housing increased from 760 in 1986 to 8,450 in 1987 to 9,763 in 1988.

Early in 1987, a special 24-hour narcotics "Hot Line" was put in place. A person, not a recording, answers all calls. More than 2,500 calls have been logged.

Suspected Drug Activity Forms in English and Spanish have been distributed to all projects. It gives tenants the opportunity to provide details about narcotics and narcotics suspects on a totally confidential basis. In 1988, tenants filled out 1,367 forms and some of the information helped identify apartments where federal seizure and forfeiture statutes were employed.

The Housing Police are also cooperating with NYPD in a new "Drugbusters" campaign through which specially trained

tenant participants will have their own special numbers, forms and a "Hot Line" to report drug activity directly to City Police headquarters.

The Tenants Remedies Action Committee developed some promising legal initiatives. From the start, the Housing Authority's Law Department has sought to speed up the eviction process for non-desirable tenants, most specifically drug traffickers. The current eviction process, except on cases of non-payment of rent, can drag on for as long as two to three years. This is not hyperbole. Nothing is more infuriating or discouraging to tenants than to see drug dealers not only out of jail, but back in their apartments doing business at the same old stand within hours. These people literally laugh at the law.

One answer has been the application of federal seizure and forfeiture statutes in recovering public housing apartments. We are proud to say that the idea of applying that statute to leasehold interests in real property was conceived here and we are proud that the first such seizure was made in public housing on April 27, 1987 when federal marshals and local law enforcement officials armed with warrants sealed two apartments used by drug traffickers.

To date, six such seizures have been made and 21 more are in preparation. They have an enormous effect on tenant and staff morale and thus have a ripple effect far beyond their actual number. They demonstrate that the Housing Authority is

22-153 0 - 89 - 5

not a paper tiger when it comes to getting the pushers out.

Because no prior notice is required under these federal statutes, tenants are protected from intimidation and retaliation by the dealers. Previously, when suspected drug dealers were notified that eviction proceedings against them had been started, they sought to punish tenants who might have identified them. Tenant cooperation was, understandably, limited. Now, it has increased. The Housing Authority is seeking a similar forfeiture statute for the State of New York. Both Mayor Koch and Governor Mario Cuomo support the measure.

Cases are also being prepared to move against apartments under the old-time "Bawdy House laws." Since last November, eight drug traffickers have been evicted under that program. Many more cases are in the works.

Despite the obstacles in the regular eviction process, the Authority has not let itself be entirely hamstrung. For example, in 1988, 1,164 tenants involuntarily moved or were evicted as compared to 827 in 1987 and 518 in 1986. Many of them were involved in drug activities.

The difficulties of obtaining evictions under current administrative procedures, even with able legal representation and the best will in the world, can be illustrated by the case of Cypress Hills Houses in Brooklyn.

The Cypress Hills cases, illustrate the limitations of the administrative hearing process. The cases arose from drug

raids made in four apartments at the Cypress Hills Houses in Brooklyn during May of 1986. In these raids, more than a dozen people were arrested; and rifles, handguns and ammunition were found along with cocaine and mixing equipment.

We assigned our most experienced tenant litigator to the cases and asked him to make securing the eviction of the four tenant groups his first, and if necessary, only priority. He had the cases scheduled for hearing within four weeks of his learning of them. One tenant defaulted at her hearing and was evicted six months after the raid. Of the three tenants who appeared for hearing, we received the hearing officer's decision recommending lease terminations on two by mid-August, and on the third by early September. In all three cases, the Housing Authority board acted on the recommendations and terminated the leases during September.

Of those three cases, one did not appeal to the state's court of general jurisdiction, and the tenants of that apartment were evicted by December 2nd. The remaining two appealed. One case followed the normal appellate course, and the eviction occurred in January of 1988. In the other case, although the judge to whom it was assigned delayed and referred the petition to an appellate court, thereby delaying the resolution of the appeal by nine months, the eviction took place in February, 1988. Thus, it took 18 months to exhaust the administrative, appeals and landlord tenant court processes in the cases where the drug trafficking tenants invoked the full course of procedures. This result was what was accomplished when the Housing

Authority did all that was in its power to do to expedite the evictions. We cannot allocate that amount of resources to most drug cases.

While the Housing Authority has always had careful procedures for screening applicants to public housing, and has never knowingly admitted persons with histories of criminal or violent behavior or drug abuse, in these more perilous times extra attention has been given to further tightening eligibility procedures. There is now in place a program of tenant screening of applicants. Their close ties with their neighborhoods often help to identify applicants with drug related problems.

On the Prevention and Education front, the Housing Authority has in place a broad spectrum of drug prevention and education programs, all developed within limited financial resources.

Starting in 1986 Housing Police Community Relations Officers have delivered over 1,600 drug education lectures before Tenant Patrols, Tenant Associations, youth groups, Senior Citizens and anyone interested. Additional lectures are given by the Tenant Patrol Division and the Housing Police in community centers, and ongoing meetings are frequently held with community coalitions in the five boroughs.

For the past two summers special travelling Drug Task Force Booths were set up at 63 project block parties, fun days, fairs and like events.

Information and educational materials are developed by the Authority's Office of Public Information. Materials have been prepared within the framework of two separate public information campaigns.

The first was based on the "Crack Kills" theme, illustrated by the basic logo of a death's head. There were posters in the projects and subways, TV public service announcements, "Crack Kills" buttons, T-shirts, bumper stickers, etc.

The second campaign, which appears to have struck a chord with the public and the media, is based on variations of a "This is a message for drug dealers...Stay the hell out of public housing...We'll fight for our homes and our kids" theme with the Chairman and others appearing on subway posters and in TV spots. The idea was to express the outrage and anger decent law abiding tenants feel at what the drug traffic is doing to their communities.

This campaign used a massive subway posting as well as 10 and 30 second TV spot announcements which have been aired throughout New York. It also includes "Drugs Out!" T-shirts, buttons, bumper stickers, etc. Other Housing Authorities have asked for and received permission to use these materials.

Three basic publications were also developed:

"Crack, the Facts" is a 10-page leaflet in English and Spanish published in January, 1987. It is possibly the first of its kind and has been replicated around the country.

"Drugs" is an eight-page cartoon pamphlet prepared for children in English and Spanish. Both this and "Crack, the Facts" have been printed in the hundreds of thousands and distributed across the city.

"The Drug Problem, a Project Manager's Guide" is a 52-page booklet written as a guide by three housing managers who served on the Tenants Remedies Action Committee and drew on their own experiences in dealing with drugs in their projects. It has been distributed to Authority personnel throughout the city and has also been requested by other housing authorities and private management firms.

The Authority has used its publications, The Housing Authority Journal (circulation 220,000), read by the tenants, and the Housing Authority Reporter (circulation 5,000), information for the staff, to publicize and report on all aspects of the anti-narcotics campaign.

Since nearly half of the tenant population of 570,000 is under 21, from the lower end of the economic scale and the most susceptible group to the false glitter of the drug subculture, the most indispensable element in any meaningful anti-drug effort is providing an alternative to the drug culture for young people through employment and educational opportunities. The Authority Personnel Department has in place a Work Experience (WEP) Program aimed at tenant youth and the Basic Employment Skills Program (BEST), which have had signal success in placing tenants in real jobs in both the public and private sectors.

"The Alternative High School" sponsored by the Board of Education at Marlboro Houses in Brooklyn is another promising concept. "Marlboro Prep" is housed in the project's Roving Youth Patrol headquarters and will be graduating 25 young people who recently dropped out of high school.

The Employee Remedies group is developing programs for employees in compliance with the Department of Housing and Urban Development (HUD) requirements for a "Drug free Workplace." An "Employee Assistance Program" brochure is being distributed to all employees and the Housing Authority is participating in "Quality of Work Life" Committees with several unions including District Council 37 of the State, County and Municipal Workers Union, and Local 237 of the Teamsters Union which represents the bulk (over 8,000) of the Authority's employees.

In the immediate future the Housing Authority plans to target certain projects with especially severe drug problems intensified police presence, expedited legal remedies, and possible repossession of apartments constructively abandoned by their tenants and turned over to drug dealers. These efforts will be coordinated with extensive physical improvements and tenant involvement through Tenant Patrols and Tenant Associations.

Another future initiatives include expanding the Alternative High Schools to nine other sites in cooperation

with the Board of Education. The Housing Authority's Design Department plans to facilitate moving drug dealers away from the tenants' doorsteps and off project grounds by redesigning certain areas to make the drug battlefield favor the Housing Authority.

The Prevention and Education Committee plans to develop another public information campaign aimed this time at the very young and the committee will also produce an anti-drug training film based on the Authority's very real experience with drugs.

All of these successful efforts have been developed within the framework of the very limited funds available. Although the headlines often make it appear that we are defenseless against the overwhelming tide of crack, the more than two-year record of the Task Force demonstrates that effective measures can be taken and offers real hope for the future.

Whatever gains are to be made henceforth in this battle depend on the amount of support that the Federal, State and local governments can provide. Therefore, I would like to state before this committee that the New York City Housing Authority's recommendation to HUD are as follows:

1. Appropriate funds for a FY 1989 supplemental appropriation of $8.2 million and a $50 million FY 1990 appropriation to implement the Lautenberg Public Housing Drug Elimination Pilot Program (Sec. 5121 of the Omnibus Drug Act). This could fund the Authority's grounds redesign at Red Hook Houses, estimated to cost about $4 million.

Appropriate funds for a FY 1989 supplemental appropriation of $34 million and a $34 million FY appropriation authorized under Section 550 of the Omnibus Drug Act for a Health and Human Services grant program to the states to demonstrate, among other things, drug treatment for residents of public housing.

Appropriate $50 million in FY 1990 to fund Section 5102 of the Omnibus Drug Act which permits PHAs to hire investigators to compile evidence on illegal drug use and trafficking for use in eviction efforts.

Appropriate $40 million in FY 1990 to fund the block grant program authorized for the Department of Justice for law enforcement agencies, universities, and other institutions to research the illegal manufacture and sale of drugs in public housing (Sec. 4104).

2. Allow public housing authorities to strengthen their lease provisions and to streamline eviction procedures so as to permit the immediate eviction of families involved in drug sale and distribution whether in apartments or on or near project grounds.

3. Provide funding for vastly expanded youth job training and placement programs. Attention should be focused on providing rational and credible alternatives to the false glitter of the drug culture.

4. Develop and make available to public housing national programs particularly in the areas of education, treatment and prevention of drug abuse with a special focus on the very young.

5. Encourage and fund creative pilot programs that will attack the drug problem from new perspectives.

We believe the foregoing demonstrates that the New York City Housing Authority has not stood idly by and abandoned its developments to the drug dealers. As we have said before, we make no claims to having waved a magic wand and banished drugs, but we do take pride in having recognized the seriousness of the threat and confronting it directly. The most afflicted of New York City's public housing projects still

have enormous human resources. There are far more law-abiding tenants than drug criminals - and they cry out to us for help. We must harness this enormous latent power. Neither these people nor ourselves as conscientious public servants - nor the nation at large - can continue to tolerate the human suffering inflicted by the drug traffic and its violent subculture - the loss of children, the destruction of families, the degradation of community life.

Drug free public housing, indeed a drug free America, are not chimeras flickering on the horizon. If we have the will, it can be done and done now. We have developed some effective measures that will stand us in good stead when we come to realize there is no alternative, but to do this job.

Please give us the tools to do it.

****

REMARKS BY
MR. KENNETH J. FINLAYSON
PRESIDENT
VENTURE PROPERTIES, INCORPORATED

My name is Kenneth J. Finlayson. I am president of Venture Properties Incorporated, a Pennsylvania-based company formed to develop commercial and private multi-family housing, as well as subsidized and insured multi-family housing. Prior to this position, I served as Regional Administrator for the U.S. Department of Housing and Urban Development for Region III in Philadelphia. During my 6-year tenure at HUD, I developed and field-tested performance standards for public housing in cooperation with six housing authorities, including the Wilmington Housing Authority. Our efforts helped institute the present national performance standards, the first of such developed in the 50-year history of public housing. For eight years prior to my Federal service, I supervised a Section 8 program and many of the current federal housing programs in New Castle County, Delaware. Prior to that, I managed the New Castle County Housing Authority.

We are struggling today with some very serious social problems. The problems of drug-related crime and murder right here in the shadow of our Nation's capitol are presently in the forefront of national attention. Other social and economic problems are also evident, including poverty and unemployment, illiteracy, child abuse, and health problems, including AIDS. Some have advocated that public housing is incubating these problems.

It is my opinion that many proposed responses here in Washington -- such as calling for the use of the National Guard, nationalizing the D.C. police, issuing I.D. cards, hiring more policemen, declaring curfews and eliminating the grievance procedures for evacuation -- are aimed at the symptoms and not the cause of the problem. I would like to suggest today that the solution to many of these social and economic problems in Washington and other inner cities lies in a basic restructuring of our public housing program.

In an effort to examine the cause of these problems, we must take a close look at public housing itself. Imagine yourself running a large corporation in which your costs are constantly rising and unpredictable.

Your inventory is depreciating. Your customers cannot afford to pay you full the "retail" price of your product, and the government regulates your prices at below market rates.

To make matters worse, you have to report to several boards of directors on the detaiis of your operation. You have long-term capital debt and have to annually apply for new capital. These funds are either unobtainable or inadequate; their availability and amounts are always unpredictable. Many times, you have an unskilled workforce, and you face cumbersome bureaucratic procedures. Finally, your industry has a very negative public image. Yet, all of your customers depend upon you to provide one of their basic needs -- shelter. You can not merely close-up shop and walk away.

These are the conditions which exist in managing public housing today.

Part of these problems lie in the evolution of public housing. Designed in the late-1930's, public housing was intended to be a stop-gap program for poor families who were experiencing temporary economic problems during the Great Depression. From the beginning, the public housing program was not designed to provide permanent, low-rent housing, but rather, emphasized creating job opportunities and clearing slums. The program's roots were not embedded in social welfare, but in public works -- providing employment opportunities while clearing slum areas.

But during the 1950s and 1960s, demographic changes and urban renewal projects reshaped public housing dramatically.

As poverty, unemployment and other national economic problems grew, public housing projects became "warehouses for the poor" in our inner-city areas. Public housing became the housing of last resort, affordable to the poorest of the poor.

With this change in public thinking and public policy came an increase in social and economic problems. By warehousing our poor in public housing projects -- out of sight and out of mind -- we now see the results of that isolation and abandonment. We see several generations of poverty. We see a decline in education standards and facilities. We see rising crime and drug-abuse. We see the hopelessness and despair that

results from a lack of job opportunities, and a lack of essential community services.

All these problems are evident right here in Washington. What we see today is similar to isolating a certain percentage of school children in a special class for low achievers, then punishing them for being dummies, rather than providing an opportunity for them to learn.

So as not to be misunderstood, I am not advocating that we abandon efforts to reduce crime, violence or drug abuse. However, if these are the only measures we take, I fear the result will be to only further imprison our public housing residents. I encourage you to view these efforts as merely a part of an overall strategy designed eliminate the isolation of our poorest citizens and reduce dependency.

The situation is similar to a story I once heard about the famine in Ethiopia. A group of CEOs from major U.S. agricultural firms travelled there to assist in technological improvements in farming in a valley. Upon arriving, they saw 500 men, women and children dying each day. They looked out over the land and saw nothing but vast desert.

In the face of death before them, they urged local leaders to accept their assistance in obtaining food. A local leader said he would surely welcome any food he could receive, but if he viewed food as the primary objective, his people would become dependent. Still, the CEOs urged him to concentrate on the obvious problem of starvation. He replied that starvation was not the problem, but rather, how to turn the desert into farmland. Starvation was merely the result of the problem of how to produce food. He then took the CEOs out into the desert, dug two feet down, and produced moist soil. Suddenly, the CEOs saw what he was talking about. They helped him institute a program of drip agriculture. Today, the valley is productive farmland that is providing residents with a permanent source of food. And a permanent source of hope and independence.

I think we are faced with a similar situation in our cities today. The problem is that we as a nation view public housing as a social and economic desert. I believe the solution lies in our ability to harvest the desert, to utilize the tremendous human and community resources

available in public housing projects, rather than isolating their residents from the rest of society and our economy. We need to eliminate the warehousing of our poor.

First and foremost, I believe we need to use the legislative process to encourage self-sufficiency and independence in public housing. To bring this about, we need to fundamentally change the program from a quasi-federalized administration of bureaucratic red tape to one where local businesses and entities become active partners with residents in providing a safe and decent living environment.

Let me draw upon our local experience as an example. In Wilmington, Delaware, the City, State and Housing Authority have begun a program that demonstrates the process of transforming low income communities into urban centers for learning, productivity, achievement and opportunity. City agencies, neighborhood organizations and local schools have formed a coalition with the residents of a South Wilmington project to constructively remove the barriers of dependency. The private sector has joined in the planning process to provide on-site job training and employment. HUD is providing funding assistance, and the U.S. Justice Department is providing help in preventing drug use.

This example illustrates the need to transform our public housing from warehouses for the poor to viable and dynamic urban areas. City and state resources are being used to reduce dependency. Residents are actively involved in setting their own community standards -- standards that don't include drug use and crime. Federal and local government is supporting this effort by providing good law enforcement and judicial systems. Crime prevention activities are designed to assist the residents, not imprison them.

This may sound simple. But how can Congress and the Federal government help transform our public housing program?

I strongly believe we must begin to privatize public housing. There are over 3,000 Housing Authorities across the country who administer 26,000 projects. These projects provide approximately 1.2 million housing units for low-income families and the elderly. The quality of these projects varies from unlivable and vacant to new and well-managed

living environments.

The present estimate for capital repair of current public housing inventory across the Nation exceeds $20 billion. HUD funding for capital repairs is presently between $1 billion and $2 billion annually. The funding necessary for new capital repairs increases as much as $2 billion each year. There is little hope of ever catching up. The result will be increased vacant and unlivable housing environments.

These conditions will only lead to more crime, drug use, violence and a feeling of despair and hopelessness.

We have only to walk a few blocks from this building to see a clear example of the need for capital repairs. But what we would also see is the dramatic crime, violence and drug use that results from the deterioration of the living environment.

I propose that in selected areas, the private sector can utilize proceeds from the syndication of tax credits to repair some public housing projects. In addition, the private sector could utilize project-based subsidies, such as Section 8, to take control of the management of the project. The private owner could form a corporate partnership with the residents that could provide turn-key management. This process would train the residents in the management of the property and gradually turn over its management and ownership to them.

Such a program could accomplish the goals of the current Administration regarding tenant management and ownership, without abandoning the residents. Quite the contrary, it would benefit the residents by giving them a greater stake in improving and maintaining the quality of their living environment.

Changing the ownership from a quasi-federalized caretaker to a profit-motivated private owner would convert public housing from a warehouse for the poor to a revitalized resource zone. Residents will have a legal and economic interest in the property, providing incentives to maintain it and encouraging self-sufficiency. The private sector should be encouraged to provide on-site job training and employment opportunities. Support from federal and local law enforcement

organizations would help reduce crime, violence and drug abuse.

I recommend the Congress strongly consider setting aside Section 8 funding to support demonstration projects designed to privatize public housing. The Department of Housing and Urban Development should begin designing a disposition concept that would enhance the opportunity of private ownership in a manner that would ensure the best interests of the low-income families who live in public housing.

In addition, I recommend that Congress fund and extend tax-credit regulations. In areas of low housing vacancies, the funding emphasis should be shifted from Section 8 vouchers to Section 8 Existing certificates to allow more project-based assistance. Section 24 CFR 882 should be amended to allow project-based assistance where 1937 Housing Act funds have been used, as long as these funds are reimbursed and provide incentives for self-sufficiency.

Aside from the tax credits, these immediate actions would bear no additional cost than has already been appropriated. But they would begin the process of empowering existing low-income residents of public housing with the ability to reduce the barriers that trap them in dependency.

In concluding, I am reminded of something once said to me by a tenant in the Richmond Housing Authority. She said public housing was the basement of society, and that the basement was on fire. If we didn't act quickly, she told me, the entire house would soon be in flames.

She was right. The problems of public housing are no longer confined to the projects we have for so long put out of sight and out of mind. We need to put out the fire. But what I urge everyone to do -- in the Administration, in the Congress, and across the Nation -- is that while were putting out the fire, to reach out our hands to our poorer neighbors, bring them upstairs, and welcome them home.

Thank you very much.

Senate Permanent Subcommittee
on Investigations

EXHIBIT # 1

STAFF STATEMENT[1]

I. BACKGROUND

Since 1937, when the federal government created the current federal housing program, local public housing authorities (PHAs) have administered the housing projects. 42 U.S.C. §1437 et seq. The PHAs are required to comply with federal regulations relating to rent (§1437a); lease provisions (§1437d(e)(1); eviction procedures (§1437d(e)(3); tenant selection §1437d(c)(4)(A), (c)(3)(i); and administrative grievance procedures §1437d(k).

Rules governing the residents' interest in the property have evolved over time. For example, in 1969, the Supreme Court held in Thorpe v. Housing Authority of Durham, 393 U.S. 268, that PHAs could not evict tenants without informing them of the reasons and providing an opportunity to respond. The following year, the Court ruled that under the Fourteenth Amendment's Due Process Clause, a state cannot terminate public assistance payments without providing notice and an evidentiary hearing before an impartial decision maker with the opportunity to confront adverse witnesses. See Goldberg v. Kelly, 397 U.S. 254 (1978). Thereafter, lower courts have applied Goldberg to public housing cases. See National Tenants Organization v. Pierce, CA No. 88-3134 (D.D.C., January 25, 1989) and the cases cited therein.

In 1975, the Department of Housing and Urban Development (HUD) issued its lease and grievance regulations. Among other provisions, the regulations required leases to include a provision under which a tenant must refrain from "illegal activity which impairs the physical or social environment of the project," §996.4(f)(12). A tenant who is notified by a PHA that he or she is violating the lease has a right to a grievance procedure which must include various enumerated "due process rights" - among them the opportunity to examine documents and the right to counsel. §966.52 et. seq.

In 1982, HUD proposed a wide-ranging revision, aimed toward deregulation, that would have eliminated certain requirements at a grievance proceeding. In response, Congress enacted a provision that required all PHAs to establish and implement certain

---

[1]This statement was prepared by the Minority Staff of the Permanent Subcommittee on Investigations. It summarizes the findings of the staff's examination of the issue of drugs in public housing.

grievance procedures that provide basic due process elements for any proposed adverse action. The same law clarified that tenants could be evicted for "serious or repeated" lease violations. 42 U.S.C. §1437d(K) and (L)(4). The law also contained a provision that allowed a PHA to evict without a grievance procedure when the Secretary of HUD determined that the local jurisdiction already provides a due process proceeding. 42 U.S.C. §1437d(K).[2]

In 1986, HUD published proposed regulations implementing the 1983 law, but it was not until August 30, 1988 that final regulations were promulgated. These final regulations attempted to deregulate and provide for more local control. They would have explicitly permitted eviction for drug-related activity without a conviction (§966.10(i)(2)), as well as for drug-related activity on or off site by family members. They would have made numerous additional changes to the PHA grievance procedure requirements, including the reasons for which a proceeding must be held. §966.40 In the waning hours of the 100th Congress, legislators enacted a law requiring the Secretary of HUD to make these rules have only "interim" effect, thereby allowing further comment. P.L. 100-628, §1013.

Meanwhile, a tenant suit challenging the regulations was filed and on January 25, 1989, the United States District Court for the District of Columbia granted a motion for a preliminary injunction enjoining the Secretary and others from implementing the regulations. On Februay 15, 1989, the Secretary of HUD withdrew the regulations (which had never taken effect). 54 Fed Reg. 6886. Alternative regulations are currently under review.

While the regulations which would have modified the way in which PHAs dealt with drug activity never took effect, Congress enacted other legislation related to drug activity. The Anti-Drug Abuse Act of 1988, P.L. 100-690, required that PHA leases "provide that a public housing tenant, any member of the tenant's household, or a guest or other person under the tenant's control shall not engage in criminal activity, including drug-related criminal activity, on or near public housing premises, while the tenant is a tenant in public housing, and such criminal activity shall be cause for termination of tenancy." §5101. The same law also created the "Public Housing Drug Elimination Act of 1988," authorizing HUD to make grants to PHAs to eliminate drug-related crime in public housing projects. §5123. It also created the "Drug-Free Public Housing Act of 1988" which requires HUD to create a clearinghouse for information regarding drug abuse in public housing projects. §5143.

II. INTRODUCTION

---

[2]Previously, a PHA could make such a determination.

Over the past few months, public officials and the national media have devoted increasing attention to the problem of illegal drug activity in the nation's public housing. Newly appointed HUD Secretary Jack Kemp has declared that getting drugs out of public housing is a priority for his Department.

With public concern growing over the extent and seriousness of drugs in public housing, the Permanent Subcommittee on Investigations (PSI) undertook an examination of the problem and how PHA's are addressing it.[3] During the course of the investigation, PSI staff spoke with public housing residents and representatives of resident advocacy groups from across the country. Staff also contacted officials in the Department of Housing and Urban Development (HUD), the primary federal agency with jurisdiction over public housing, as well as officials in the Department of Justice and the Drug Enforcement Administration. Staff visited public housing developments in Wilmington, Chicago, the District of Columbia, and New York City. In addition, staff interviewed officials from PHAs in a number of cities, and contacted national organizations representing PHA management. Staff also spoke with attorneys representing residents and PHAs on legal issues related to drug related crime in public housing.

It is difficult to quantify the scope of the problem of drugs in public housing. HUD does not compile statistics on the number of drug-related offenses which occur in public housing - nor do most PHAs. Police crime statistics are of limited use; police presence tends to be lower in public housing developments, and many crimes there go unreported.

Anecdotal evidence, however, offered by those best acquainted with public housing - PHA officials and the residents themselves - leaves little doubt that drugs have become a serious problem. More than half of the respondents to a survey conducted of PHAs by the National Association of Housing and Redevelopment Officials (NAHRO) consider drugs to be a problem in their properties. Among

---

[3]This investigation is the most recent in a long series of investigations that PSI has conducted relating to illegal drug activity. Previous PSI investigations on drug-related issues include:

- -- Drugs and Money Laundering in Panama (1/88)
- -- Crack Cocaine (7/86)
- -- Role of the Feature Film Industry in a National Effort to Diminish Drug Use Among Young People (10/85)
- -- Role of Entertainment Industry in Deglamorization of Drug Use (3/85)
- -- Prevention of Drug Abuse Among Youth (6/84)
- -- International Narcotics Trafficking (11/81)

those PHAs classified as "very large" by NAHRO, 88 percent reported that drugs were a problem.[4]

Numerous public housing residents from cities across the country told PSI staff that their buildings and neighborhoods had been virtually taken over by drug dealers. Those residents described how armed dealers openly peddle illegal drugs and terrorize residents. Several residents of high-rise developments said that the hallways outside their doors were as dangerous and drug-plagued as the worst streets in their cities.

The overwhelming majority of public housing residents are not drug users and criminals. Most residents are decent, law-abiding citizens who are anxious to see their neighborhoods rid of the menace of drug trafficking. A disproportionate number of residents are women and children; the percentage of female-headed households in public housing approaches 80 percent in some cities.

The drug problem in public housing defies easy solutions. Eviction, perhaps the most direct approach, is difficult to carry out. Lengthy procedures that ensure due process must be followed, including HUD-mandated administrative proceedings and judicial review. In some cases, tenants can prolong an eviction proceeding for several years, while continuing to occupy a public housing unit.

Moreover, eviction is a limited solution. Non-residents account for much of the drug activity that occurs in public housing. Traffickers swarm into public housing developments because they see such properties as areas of least resistance, where there may be minimal police presence and law-abiding residents remain fearful and timid.

In surveying anti-drug efforts among PHAs, PSI found that several of the more effective programs are part of comprehensive approaches to improving the quality of life in public housing. However, because the size, structure and population of public housing differ from city to city, no single approach is the answer for every housing authority. In short, there is no "quick fix" to clean drugs out of public housing. But PHAs in several cities appear to be making headway through dynamic leadership and innovative programs.

III. THE SITUATION IN SELECTED CITIES

---

[4]National Association of Housing and Redevelopment Officials. "National Drug-Task Force Report on Drug-Free Public Housing." December 1988. P. 5.

New York

The New York City Housing Authority (NYCHA) oversees 318 developments and an estimated population of 600,000 residents, only 26 percent of whom are on public assistance. The NYCHA has no vacancies and a three year waiting list. NYCHA officials claim that residents of the NYCHA are half as likely to experience crime as city residents outside public housing. In general, this success can be attributed to relatively well maintained and policed buildings, and an independent police force[5] whose primary responsibility and interest is NYCHA developments. It appears that this fact alone accounts for the fact that New York public housing residents seemed to be less afraid of drug related crime than their counterparts in Chicago.

Unlike Chicago, New York's gangs do not appear to control public housing buildings, or drug trafficking that occurs there. Crack appears to be the drug of choice and is blamed for an increase in the number of weapons and drug-related homicides.

New York has three divisions of law enforcement: city police (approximately 25,000 to 30,000 officers); transit police (approximately 4,000 officers); and housing police (approximately 2,000 officers). All are trained at the NYC police academy and have statewide arrest powers. Recruits are randomly assigned to one of these three divisions upon graduation. Some housing police officers work in conjunction with investigative divisions of the city police. Twelve housing police officers are assigned to the Tactical Narcotics Team, and 21 officers and two sergeants are assigned to the Organized Crime Control Bureau. The housing police force was founded in 1952, and it is funded by both city and federal funds.

Public housing developments in New York are patrolled by officers on foot and in cars. Project Community Officers (PCO's) are officers assigned to specific housing developments who patrol their beats on foot. They become involved in the surrounding community by maintaining contact with residents and working with tenant patrols. They also work closely with NYCHA development managers. There are currently 150 PCO's, who are encouraged to take these positions by a premium salary.

The visibility and familiarity of the police seems to have bred a greater sense of security for residents of New York City housing developments than elsewhere. Some 15,000 NYCHA residents have volunteered to work in tenant patrols, mostly to sit at desks in the lobby and act as guards. They maintain telephone contact with the local police office and keep monitor check-in sheets for buildings. PCO's work closely with the tenant patrols to deter

---

[5] Rivalry between the police forces is apparent and harmful, but recently seems to have abated somewhat.

criminal activity, and are required to sign in on the lobby patrol checksheets. Patrols are provided with phones, identifying jackets, tee shirts, badges and sometimes a stipend.

New York has developed a comprehensive approach to drug-related (and other) crime. The NYCHA publication, "The Drug Problem -- A Project Manager's Guide" provides building managers with useful suggestions on how to to combat drug activity in their buildings. The NYCHA also has an anti-narcotics task force, which completed a survey assessing the extent of the drug problem in the NYCHA. It has worked with groups such as "City Kids," which organizes youth to confront difficult issues, such as crime and drug dependency.

Despite the fact that the buildings are in decent condition and the police force is active and tenants are organized, drug activity is not uncommon in the projects. Accordingly, the NYCHA has attempted to rid its property of drug dealers. Since the eviction process in New York is time consuming, the NYCHA has been frustrated by cases that have dragged on for more than two years. Even if the NYCHA were to receive a waiver from HUD allowing it to eliminate the administrative procedures, the eviction process would still be time consuming.

In 1986, the NYCHA developed the idea of using civil forfeitures to seize the leases of public housing residents. The first seizure was conducted at the direction of Rudolph Guiliani, U.S. Attorney for the Southern District of New York in April 1988. Later seizures were also conducted by the Office of the U.S. Attorney for the Eastern District of New York. Six apartments were seized last year, and several other seizure cases are expected. To date, none have been contested. NYCHA authorities claim that these swift and palpable actions, though few and number, serve as a significant deterrent. The NYCHA is currently seeking to enact a law to provide for state forfeitures.

Also, the NYCHA has recently begun to utilize the "bawdy house" law (originally designed to control prostitution) to remove drug offenders from public housing. The law allows the NYCHA to remove from public housing anyone who is found to have engaged in the furtherance of an illegal trade or business. These cases are processed through a specialized court that handles only narcotics cases. The cases can usually be disposed in eight weeks.

Boston

The Boston Housing Authority (BHA) oversees approximately 10,000 family units and 3,500 senior units. The total population of the BHA developments is approximately 50,000 or about ten percent of the city of Boston.

In 1969 Boston established a system of "Housing Courts" specifically to handle criminal and civil disputes related to public and private housing. These state courts have judges that are appointed for life by the governor of Massachusetts. Housing

courts have concurrent jurisdiction with the State Superior Court, and the plaintiff can choose between the two. Housing cases often involve issues such as tenant-landlord mediation, utility disputes, and criminal activity that require the particular insight of housing experts. Housing Courts offer an opportunity to dispose of such cases expeditiously, by using judges and prosecutors who are familiar with housing issues and can cut through technical impediments. The Housing Court system in Boston avoids the inefficiences characteristic of court systems in other cities, where a housing case can rotating judges who might never have adjudicated a housing-related case are utilized.

Drug-related issues generally come before Housing Courts in eviction cases. The BHA does not necessarily await a criminal conviction before it initiates an eviction. Rather, the BHA will seek an eviction when it believes that there is good cause that the tenant has committed a serious lease violation, such as allowing drug trafficking to occur in a unit. Tenants can appeal an eviction notice all the way to the Massachusetts Superior Court, where they are entitled to a jury trial.

Boston's Housing Courts have been useful because both tenants and landlords appear to prefer having their cases adjudicated before judges who are fully acquainted with the complex issues involved in housing tenancy. Tenants are pleased because Housing Courts are sensitive to the full range of rights guaranteed a tenant under law. Landlords are pleased because cases are expeditiously processed.

Omaha

The Omaha Housing Authority (OHA) oversees approximately 7,000 units under the leadership of Executive Director Robert Armstrong. According to arrest and search warrants in 1988, 18 to 20 percent of all drug activity in the city of Omaha occurred within public housing.

Since his arrival in 1986, Armstrong has initiated several innovative programs at the OHA intended to improve the quality of life for public housing residents and thereby reduce drug-related and other crime. Armstrong has worked to institute programs that give residents "no excuses" for not helping themselves. He believes that by providing better education for children in public housing, he can help them to escape poverty, and ultimately, to escape public housing.

Armstrong directs the staff of 162 persons working for OHA to help attack the roots of poverty and crime in public housing by becoming directly involved in the day-to-day lives of public housing. Staff work with churches, YMCA, Boy's Clubs, and other community organizations to get involved in programs with public housing residents. Staff take children to the zoo and circus as rewards for achievement. In the summer of 1988, OHA started "Operation Shadow" for public housing children to spend time with adult role models from OHA. The children spend time with

maintenance and administrative personnel, and observe their daily activities. OHA claims that this activity has been effective in areas where drug traffickers might otherwise serve as role models to many children. OHA has also organized sports programs for youth and voter registration drives for adults, as well as a trip to the Nebraska State Penitentiary for children who were suspected of being gang members. They heard from inmates who warned them to stay out of trouble in order to stay out of prison.

The "Omaha Housing Authority Foundation, Inc." was created by the OHA Board of Commissioners in 1986. This fund is completely tenant financed. Twenty percent of the money raised by the foundation goes to educational programs such as scholarships and rewards for outstanding school attendance and achievement. Thirty percent goes to paying tenant rent in emergency cases, and fifty percent goes into escrow for future undertakings such as the formation of an OHA construction company. Two foundation scholarships in the amount of $2,500 have been awarded to students living in OHA buildings. The Foundation was named by the National Association of Housing and Redevelopment Officials (NAHRO) for top honors for innovative housing programs in 1987.

Part of the funding for the Omaha Housing Authority Foundation is provided through an innovative mechanism arranged by Armstrong. After a local cable television company had been having difficulty collecting payments due from public housing residents, Armstrong offered to have OHA assume responsibity for collecting the payments, in return for a rate reduction from $16.75 per month to $5.25. OHA adds $1 to this rate, and uses the proceeds for the Omaha Housing Authority Foundation.

OHA emphasizes that education is the key to escaping poverty, and that children should have "no excuses" for not attending school. To emphasize the seriousness of its stress on education, OHA rejects applicants whose children are not attending school, and seeks to evict those who are not keeping their children in school. OHA maintains a close relationship with the Omaha public schools that teach OHA children, and even has OHA staff monitor the progress of these children. If a child misses two consecutive days of school, OHA staff visit the child's parents and inquire about the child's absence. OHA allows the parents "no excuses" if their children do not attend school by providing food, clothing, and transportation if necessary. In addition, study centers staffed by volunteers are located in four different housing developments. These centers are staffed by volunteers two nights a week who individually tutor public housing students. Five full-ride four year scholarships to universities in Nebraska and Oklahoma are now provided annually to outstanding OHA students.

OHA attempts to help those residents with substance abuse problems, but imposes strict penalties on those who shun OHA efforts. Residents with drug problems who are undergoing therapy or counseling will not be evicted if they are working to solve their problem.

OHA has an eviction policy that Armstrong asserts is the toughest in the country. In the event of a serious lease violation, OHA will seek eviction for all of the residents in an apartment, regardless of their involvement in the prohibited activity. OHA will not necessarily await a criminal conviction before seeking to evict residents for illegal activity. OHA may also seek to evict a family for illegal activity committed by a member outside OHA property. OHA claims that eviction cases tend to be quickly resolved in Omaha, because OHA normally pursues them where there is overwhelming evidence of wrongdoing, and tenants often waive their right to grieve and appeal.

All of the initiatives of the Omaha Housing Authority have been achieved at relatively low cost. Apparently, initiatives directed toward improving the general quality of life for residents have had a positive impact on crime in the developments; OHA says that there is not a problem either with graffiti or gangs controlling developments.

Buffalo

The Buffalo Public Housing Authority (BPHA) has acquired a reputation for implementing innovative, if sometimes controversial, anti-drug programs. In February of 1989, the BPHA received an award from HUD in recognition for its anti-drug programs. Since 1986, the BPHA has been led by Executive Director Lawrence Grisanti, a former school teacher. The BPHA oversees 5200 federally-funded public housing units and 1300 state-funded units. Aproximately 9000 tenants live in Buffalo's public housing.

Under Grisanti, the BPHA has adopted a two-pronged approach to fighting drugs in the city's housing developments. The first approach involves education, prevention and treatment programs. The second entails strict enforcement of lease provisions and criminal laws.

In 1987, Buffalo was one of the first cities to receive funds set aside by HUD for programs to promote drug-free public housing. The BPHA was granted $1,025,000, to be matched by a comparable state contribution. The BPHA used the money to establish a 30-bed drug detoxification and treatment center, with preference given to public housing residents, in a local hospital. In addition, the BPHA established a prevention and education program for youth, which includes tutoring and recreational activities. All of the programs funded under the grant are operated from centers located at public housing developments in the city.

In addition to its "demand-side" initiatives, the BPHA under Grisanti has taken steps to strengthen drug enforcement in the city's housing projects. The BPHA has its own police force consisting of 29 full-time officers, 4 full-time sergeants and one chief of security. Officers in the housing police are

specifically trained in drug enforcement. The housing police have increased their patrols of drug-plagued developments, and have even begun canine patrols in some neighborhoods. The housing police operate a three-man plainclothes unit to conduct undercover investigations. Officers in the housing police have been designated to serve as liaisons with the local and state police, and with DEA.

Buffalo's housing police are instructed to accost unfamiliar or "suspicious" persons on the grounds of the city's housing projects. Such persons are issued a written warning, or in some cases, arrested. The police also enforce the city's law against open containers with tickets for offenders.

The efforts of the housing police in Buffalo are supplemented by security guards in the senior citizens' residences, and by tenant patrols in the family developments. The BPHA has also established a computer data base to keep track of all reported criminal activity in any of the city's housing projects. Recently, the BPHA implemented a system for tenants to submit anonymous tips about criminal activity.

Soon after assuming his post as Director, Grisanti established strict tenant screening and rent collection procedures. The BPHA now conducts in-person interviews with applicants for the city's public housing, and inspects their current home. The BPHA also promptly commences eviction procedures when tenants fail to pay their rent.

The BPHA awaits conviction before it attempts to evict a resident on the grounds of criminal activity. Where possible, the BPHA will evict suspected drug offenders for other reasons, including failure to pay rent. An eviction for failure to pay rent can be carried out in as few as 40 days. Other lease violations may take up to 75 days before an eviction order can be issued. Evictions for criminal activity can take as long as a year and a half in Buffalo.

Grisanti told Subcommittee staff that his management practices have antagonized some tenants' rights groups and politicians. He believes, however, that most of the residents of Buffalo's public housing developments support his measures, because they share his interest in ridding their neighborhoods of criminal behavior, especially drugs. He told of one tenant, an elderly woman, who confronts drug dealers in her development and takes their pictures.

Wilmington

The Wilmington, Delaware Housing Authority (WHA) oversees 2584 units of public housing in 11 family developments and six buildings reserved for senior citizens. Roughly ten percent of the city's population resides in public housing. As of March 1987, 94 percent of the families living in Wilmington's public

housing were classified as very low-income, and 79 percent were female-headed.

In Wilmington, housing officials, local police and public housing residents all told Subcommittee staff that there is a serious problem with drugs in the city's public housing developments. The police department in Wilmington does not maintain separate statistics for crimes committed at public housing developments, but a police official estimated that at least 40 percent of the drug-related arrests in the city occur at its public housing developments.

Subcommittee staff interviewed residents at Riverside, the development identified by both police and housing officials as the city's worst for drug activity. Those residents described how crowds of young men gather each day on street corners in their neighborhood, selling marijuana and cocaine to a steady stream of motorists, who often drive luxury cars with out-of-state license plates. Disputes among dealers sometimes erupt into gun battles.

Under the leadership of Executive Director Mary Ann Russ, the WHA has developed a three-part strategy to respond to the drug problem at Riverside and other city developments. First, the WHA sponsors activities to educate children and young adults about the dangers of drugs. Second, it provides information and referral for residents who seek drug treatment and rehabilitation. And third, it moves aggressively to evict households in which residents are engaged in, or harboring, illegal drug activity.

Each tenant in a Wilmington public housing development signs a lease specifying that tenancy may be terminated for a series of specific "serious or repeated" offenses, including "the arrest of any family member for a crime related to drug trafficking . . ."[6] Thus, the WHA does not necessarily await a criminal conviction before seeking eviction based on illegal drug activity. Further, the WHA will in some cases move to evict an entire household following the drug-related arrest of a single member. This policy has elicited a good deal of controversy, but as of the writing of this statement, no successful legal challenges.

The eviction process in Wilmington, while shorter than in other cities, is nevertheless not as swift as some might assume. When the WHA decides to seek eviction for a drug-related lease violation, it delivers a written notice of the proposed lease termination to the leaseholder in question. After 60 days, the WHA files a motion to evict in Delaware state court. The court date is typically scheduled a month after the motion is filed.

---

[6]See Appendix. "Lease and Grievance Procedure for Public Housing Residents," Wilmington Public Housing Authority.

Thus a resident targeted by the WHA for eviction will normally have at least 90 days from the original eviction notice before a court considers the matter.

Once in court, the WHA must demonstrate through a preponderance of evidence that a leaseholder or the leaseholder's family member has violated the provision forbidding drug activity. If the leaseholder chooses, there is a trial by jury. In any event, the leaseholder is entitled to be present and cross-examine witnesses. If the magistrate rules in favor of the WHA, the leaseholder has the right to appeal.

During the last three years, the WHA has evicted residents from thirteen units for engaging in illegal drug activity. Six more drug-related eviction cases were pending in May of 1989. An additional thirty-one evictions of residents whom the WHA believed were involved in drug activity have been carried out in the last three years based on other lease violations, such as failure to pay rent.

In February of 1989, the WHA received an award from HUD recognizing its approach to solving the drug problem in its properties. The WHA was one of only eight housing authorities to be so recognized in HUD's Region III, which encompasses five states and the District of Columbia.

Chicago

Chicago is home to the second largest public housing stock in the nation, with over 40,000 units. The 150,000 legal residents of Chicago's public housing comprise five percent of the city's population.

Overall, the violent crime rate in Chicago's public housing is twice that of the rest of the city's. In some developments, the violent crime rate is four times the city average.[7] A large concentration of public housing buildings on the Southside of Chicago has proven in particular to be a magnet for crime and drug activity. Residents in some of those buildings live in fear of gangs who control access to exits, elevators, and even electricity, and extort money from residents.

The agency in charge of public housing in Chicago, the Chicago Housing Authority (CHA), has had a long history of administrative problems. Prior to the appointment of current Chairman Vince Lane in April of 1988, a succession of five chairmen had served in the course of four years, and the Department of Housing and Urban Development was threatening to

---

7. See Appendix for excerpts from "Emergency Housing Inspections Program. Operation Clean Sweep. Chicago Housing Authority, April 10, 1989." P. 2.

take over the management of the Authority. Lane inherited a PHA that was required to have every expenditure approved by the regional HUD office.

Under Lane's leadership, CHA has instituted several innovative programs under the umbrella of a program known as "Operation Clean Sweep." This initiative calls for reclaiming and securing CHA properties by controlling access to high-rise buildings, conducting building repair and maintenance, and providing residents with increased social services. In short, CHA buildings are cleansed of the drug-trafficking gangs, and steps are taken to ensure that the gangs do not return. Lane has been hailed by the Chicago Tribune as ushering in "the first turnaround CHA residents have seen in two decades of deteriorating security."[8]

The first phase of Operation Clean Sweep involves a coordinated effort by the Chicago Police Department and the CHA, in which units are inspected by CHA staff for maintenance and other needs. If drugs or weapons are discovered in plain view, CHA staff call in the police. CHA staff checks the residents they encounter in the units with those listed on the lease, and require visitors to either sign on to the lease or obtain a limited visitors pass. Residents are issued photo identification cards, and the previously open lobbies are secured with metal doors and security guards who control access. Completion of this phase of the "sweep" procedure signals that the CHA has "won back" control of the building.

The CHA is engaged in continuing negotiations with the American Civil Liberties Union, which filed a suit challenging the early sweeps. As a result of the suit, the CHA has revised some procedures,[9] and is in the course of drafting a formal agreement.

The next phase of the sweep involves building repair. One unswept CHA building visited by PSI staff had walls covered with graffiti, and unlit stairwells where vandals had stolen the lights and the light fixtures. During Phase II, the graffiti is cleaned up, the lighting is repaired, and the building is cleaned. Vacant units in need of major repair are boarded up for future repair, and in high-rise buildings, residents are moved down to the lower levels of the building. A system of fines has been established for violations of CHA policy.

---

[8]"Save the CHA's 'Clean Sweep.'" Chicago Tribune, Editorial. December 17, 1988.

[9]CHA has revised its procedures to ensure that personal property is not subject to unreasonable search and seizure. See copy of the revised consent order.

In the final phase of the sweep, CHA plans to set up social services and support programs for residents that will involve tenants in decision making and management positions. Substance abuse programs are also planned for tenants, as well as youth programs, and other programs to involve the private business community to invest in the renewal of public housing. One program, called "adopt-a-building," will solicit grants from private organizations to make major improvements to CHA buildings and to follow up with education, employment, and other social service needs. Private organizations will be encouraged to participate in this program through tax deductions and the benefits that accrue to the community. CHA will also utilize state-funded programs such as Westside Future, which offers a host of social services to address the problem of infant mortality. Other efforts will include establishing floor captains, building councils, resident lobby guards, resident security guards, and a resident/management screening and eviction committee.

The first sweep was conducted in September of 1988, and there had been a total of five sweeps as of May 1, 1989. In 1988 the overall crime rate for CHA developments fell nine percent. In two "swept" developments, Cabrini-Green and Rockwell Gardens, crime decreased by over 30 percent.[10] Crime can be reported directly and anonymously to the CHA offices to two phone answering machines. This hotline has been successful in tracking legitimate complaints, and has even led to the eviction of some residents.

CHA residents are now protected by a small contingent of Chicago police, and by private security officers hired by CHA. The private security is considered ineffective by the residents and the police, and the police presence is considered too small (125 out of 12,000 Chicago police). Many CHA residents are dissastisfied with the current level of police protection; residents told PSI staff that police respond slowly to complaints or fail to respond at all. Beginning next fall, a CHA police force, trained at the Chicago police academy with full powers to carry weapons and to arrest, will patrol the CHA developments. The new force is expected to be 220 officers strong.

With the cooperation of the CHA, the U.S. Attorney's office for the Northern District of Illinois has, like the U.S. Attorney's office in Manhattan, removed some public housing residents engaged in drug activity by employing federal civil forfeiture provisions to seize leaseholds. Chicago authorities are pleased with the deterrent effect of using these civil forfeiture provisions. To date this procedure has been employed on three cases in Chicago.

---

[10]"CHA Slows Spiral of Crime." Chicago Tribune, March 5, 1989.

Operation Clean Sweep is an innovative program that has met with success in Chicago, but it has a large price tag. CHA estimates that the cost of sweeping a 100 unit building is $150,000. The additional cost of providing increased security, repairs and drug intervention and prevention programs for residents is estimated at several hundred thousand dollars annually for each building. Thus far CHA has used funds from its operational budget to pay for the sweeps. CHA does not have sufficient operating funds to continue this policy in the future, however, and there are many more buildings in need of sweeps.

Washington, D.C.

There are almost 12,000 public housing units in Washington, D.C. The housing units are located in 58 developments and at 321 scattered sites. An October 1987 report by District Mayor Marion Barry's "Blue Ribbon Commission on Public Housing" estimated that there were approximately 49,000 residents in the District's public housing. At the time of the report, there was a waiting list of 13,000 families.[11]

Perhaps because of their location in the nation's capital, the District of Columbia's public housing developments have received national notoriety for their drug problems. Potomac Gardens, located just 12 blocks from the U.S. Capitol, was profiled in newspaper and television reports as among the worst developments in the District for drug activity. By April of 1989, when the drug-related death toll for the year at Potomac Gardens had already reached five persons, police increased patrols in the development, and much of the drug activity diminished. Residents and police both acknowledged, however, that the drug trade at Potomac had in part been displaced to Hopkins, another development located across the street.

The District's Department of Public and Assisted Housing acknowledges that drug activity is a serious problem at a number of its public housing properties. Subcommittee staff contacted residents in several of the developments who confirmed that illegal drugs were being used and sold, often openly and during daylight hours. They reported that dealers regularly engaged in street gun battles. Many residents told us that they felt unsafe leaving their homes.

The drug problem in the District's public housing is exacerbated by an abundance of vacant units. In April of 1989, approximately 2,700, or 23%, of public housing units stood vacant. Just under 2,100 were scheduled for renovation. Several residents told Subcommittee staff that vacant units in their

---

[11] Mayor Barry's Blue Ribbon Commission on Public Housing. Final Report on Public Housing in the District of Columbia. October 1987. P. 1.

developments were occupied by drug dealers and drug users. One resident reported that the Housing Department had taken up to one year to board up the vacant units in her development.

Many residents complained about the lack of screening for new public housing residents. One resident told Subcommittee staff that she had never been interviewed in the five years that her application for public housing was pending. Longtime residents in several developments contended that newly admitted residents had brought drugs and crime with them when they moved in.

In August 1988, the Housing Department revised its lease specifically to allow termination of tenancy for public housing residents who commit offenses "on or about the property" involving drugs or firearms. The Housing Department generally awaits criminal convictions before proceeding with evictions for drug-related activity, however. Because of a backlog of cases in the District's criminal court system, convictions may not follow arrests for months or even years. While most people given eviction notices do not choose to follow the HUD grievance procedure, the local landlord/tenant court system, where such cases go, is also overloaded. This results in additional delays prior to issuance of an eviction order.

In Washington, the eviction issue is further complicated by Initiative 17, a District law that requires that shelter be provided for anyone in the District who needs it. If a family is evicted for the drug activity of one member, they have a right to be provided with shelter at the city's expense. According to the Housing Department, the current cost, per month, of sheltering a family, is between $1,500 and $3,000. At present, the District is already sheltering over 500 homeless families.

Most of the programs that the District government has instituted in response to the drug problem at its public housing developments involve increased security. For example, the Police Department has increased foot patrols through several developments, using funds earmarked for overtime compensation. In another program, known as "Adopt-A-Cop," District police officers volunteer their off-duty time to patrol senior citizen buildings. A new resident patrol program being developed at several developments will use residents between the ages of 14 and 21 to patrol their developments, reporting maintenance problems to the Housing Department and crime to the police.

According to officials in the District Housing Department, the District plans to request federal funding for a separate public housing police force of one hundred officers. Currently, the Housing Department relies on the District police force. However, residents and even officials themselves concede that the occasional police patrols through developments usually just displace the drug activity to other locations. When the police are not present, drug activity resumes.

A decline in drug-related activity at one District development in particular suggests that measures other than additional security may be effective. At the Kenilworth/Parkside development in Northeast Washington, residents began managing 464 units in January 1982. Along with a dramatic improvement in maintenance and rental collections, crime at the development decreased significantly. Open drug activity did not vanish immediately; one resident reported that, as late as 1986, dealers were peddling illegal drugs on the grounds of the development. But eventually, pressure from residents, along with police support, drove the dealers out of the development.

Tenant management at Kenilworth/Parkside brought a more comprehensive approach to the root causes of crime, drug abuse and other problems. The Kenilworth Parkside Resident Management Corporation (KPRMC) established a strict system of rules, enforced by fines, for the development's residents. At the same time, KPRMC offered its residents job training and job placement. Tenant management at Kenilworth/Parkside directly cut the rate of welfare dependency in the development by employing residents in management positions and in on-site businesses. In addition, KPRMC offered post-secondary assistance for high-school residents planning to attend college.

IV. CONCLUSION

During the course of this investigation, Subcommittee staff found that drugs are a problem with which virtually every large public housing authority must contend. Some of those PHAs appear to be overmatched by the problem, while others are taking bold and innovative steps to solve it. Their experiences merit consideration by other PHAs and by Congress.

APPENDIX 1

The Omaha Housing Authority was created in 1935, first by authorizing legislation from the federal government, then the Nebraska Unicameral, and by action of the Omaha City Council. In May of 1986, Robert L. Armstrong was appointed as the sixth executive director to head up operations of the Authority. Since that time, many and varied programs have been initiated in an effort to make OHA the best public housing authority in the nation.

Education

In late 1986 and early 1987, "Study Centers" were created at two multi-family developments. Today there are four such centers at four different sites. Here, two evenings per week, volunteers provide individual tutoring for public housing students. The volunteers come from the OHA staff, U.S. West Communications (formerly Northwestern Bell), and a student organization from Creighton University.

In 1986 a partnership was established between the Authority and the Omaha Public Schools. Not only did OPS equip the study centers with desks, chalkboards, textbooks, workbooks and other teaching equipment and materials, it also allowed OHA to be a vital force in the OPS educational process: teachers were brought to the housing sites for parent-teacher conferences; public housing youths who were discovered to be school dropouts were returned to the classroom with a minimum of red tape; and principals of all OPS schools which have public housing children in the classroom meet on a regular basis with OHA management staff and leaders of the family resident organizations.

The Foundation

In August of 1986 the OHA Board of Commissioners created the Omaha Housing Authority Foundation, Inc. The Foundation has three distinct purposes: to provide educational programs and incentives, not the least of which is to award scholarships to public housing high school graduates who have attained academic excellence; to assist worthy families who, through no fault of their own, are unable to pay their rent, and face eviction; and finally, 50% of the Foundation treasury is put in escrow to be used at a later date -- perhaps so that OHA might form its own construction company, purchase older properties for rehabilitation, thus bringing more affordable homes to the community for its low income citizens.

The Foundation's main source of income is derived from an agreement the Authority has with Cox Cable Omaha: OHA residents who wish to participate pay $6.25 per month for 41 cable-TV channels, less than half what other subscribers must pay for the same service. One dollar of each cable payment -- which is collected by OHA along with the monthly rent -- goes into the Foundation's treasury. Authority personnel may also contribute to the fund by payroll deduction, as many have chosen to do.

The first scholarship, in the amount of $2,500, was awarded in 1987 to a young lady who had spent 16 of her 18 years as a public housing resident. Upon graduation from Bryan High School, she carried a 3.97 grade average. The second scholarship, in the same amount, was awarded on August 18, 1988 to a graduate of Burke High School who has lived her entire life at Logan Fontenelle Homes.

The Foundation (continued)

It might be mentioned that OHA received national acclaim for its educational programs and its Foundation. In New Orleans at its national convention in September of 1987, the National Association of Housing and Redevelopment Officials (NAHRO) named OHA for top honors in innovative programs in housing, selected from entries from across the nation.

No School Dropouts Here

Shortly after assuming the helm at OHA, Armstrong decreed that, if it was discovered that any child had dropped out of school and refused to return to the classroom, that family would be asked to move. By the same token, any family applying for housing with a school dropout as a member would be denied admission. Armstrong contends that school dropouts have too much time on their hands -- time to destroy OHA property and make life miserable for their neighbors.

Operation Cleanup

In the spring and fall of each year, all OHA administrative offices and maintenance shops are closed down for one day while employees and the Authority Commissioners converge on one family housing site to join residents in a clean-up campaign of the grounds. A skeleton crew is left behind at each office to handle emergency requests.

Operation Shadow

For over a year Los Angeles gang members -- belonging to the "Crips" and the "Bloods" -- have been migrating to Omaha and other cities in the midwest to ply their trade: dealing in deadly drugs. These gang members, with fancy car and clothes, and always with plenty of cash, prey on low-income youngsters to serve as lookouts, runners and eventually dealers. To combat this, OHA instituted "Operation Shadow" in the summer of 1988. In this program youngsters, generally between the ages of 8 and 12, are paired up with maintenance and administrative personnel, and "shadow" these employees as they go about their daily duties. The idea is to give these youths role models, since so many come from households where role models are rare, if not non-existent. The shadow program didn't stop there: Authority personnel also volunteered their after-hours time to take these youngsters on various outings such as fishing trips, baseball games, visits to the zoo, etc.

This program, too, received national acclaim. At an awards program held in Washington on November 18, 1988, OHA received a special Performance Award presented by the U.S. Department of Housing and Urban Development for "Operation Shadow."

Prison Visits

Even before the shadow program began, Executive Director Armstrong had identified a number of public housing youths as gang members. Perhaps they were Crips or Bloods in name only, nevertheless these teenagers considered themselves gang members. Through contact with the "7th Step Foundation" at the Nebraska State Penitentiary in Lincoln, Armstrong was able to take groups of these public housing youths for a visit behind the walls. There the members of Seventh Step, all convicted felons whose creed is "Save Our Youth," met and counseled with these public housing youngsters. The message imparted was loud and clear: if you don't want to be where I am, you better begin now to turn your life around. Similar visits were arranged for public housing girls who visited the women's penal complex in York. These programs will continue through the months to come.

LB-368

In the 1987 session of the Nebraska Unicameral, OHA spearheaded new legislation giving Nebraska's public housing agencies more flexibility in evicting residents who have proven to be undesirable. Drafted by OHA attorney Steve Riekes and introduced by Omaha's Senator Marge Higgins, LB-368 allows housing authorities to evict those who deal in or have possession of illegal drugs, and those who display violent behavior by serving them a three-day notice. This is in contrast to the previous law which required ten-day notices. LB-368 was passed out of committee with the emergency clause, thus immediately becoming law with the signature of Governor Kay Orr.

Voter Registration

With the thought in mind that there are an estimated 8,000 eligible voters living in Omaha's public housing, a massive voter registration drive was undertaken prior to the 1988 May primary election, and continued through the November general election. A number of Authority personnel were trained and certified by the Douglas County Election Commission as registrars. Drives were undertaken at all multi-family sites and senior towers, with significant results: from the beginning of the drive through the registration deadline in late October, more than 1,000 residents have been registered or have re-registered. This effort was followed up on primary and general election days with OHA personnel providing free transportation of residents to the polls.

August-Fest

On August 13, 1988 OHA carried out its second annual August-Fest, this year at Logan Fontenelle Homes Park. Sponsored by OHA and its Foundation, the event is considered a celebration for all Omaha, particularly for citizens of the inner city, and more particularly yet for OHA residents. Activities throughout the day range from marching drill teams, through softball and volley ball games, all the way to exhibition boxing matches. While it is not to be considered a money-making event, if there are any proceeds resulting from concession sales, they will be put into the Foundation's treasury. Emphasis this year -- and years to come -- will be on youths, urging them to say no to drugs, gangs and violence of any type.

jfg.11.9.88 (Updated)

APPENDIX 2

BMHA
SINCE 1934

Buffalo Municipal Housing Authority
901 City Hall • Buffalo, New York 14202 • (716) 855-6711

EXECUTIVE DIRECTOR
Lawrence A. Grisanti
ASSISTANT EXECUTIVE DIRECTOR
Daniel T. Quider

DONALD ORT
Chairman
THOMAS G. FELDMEYER
Vice-Chairman
SHARON A. CAETANO
MARY ROGERS
FRANK A. SCINTA
ARTHUR E. SULLIVAN
JOHN L. KING

April 27, 1989

Secretary Jack Kemp
U. S. Department of Housing &
Urban Development
451 7th Street Southwest
Washington, D. C. 20410

Dear Secretary Kemp:

This is in response to your memorandum of February 28, 1989 regarding drug abuse elimination efforts by public housing authorities.

First, on behalf of our residents, staff and members of the Authority, I would like to express our appreciation for your initiative in drug abuse elimination and the opportunity to participate in the effort to eliminate this plague from public housing.

Since my appointment on January 6, 1986, we have instituted many changes that have improved the quality of life for the residents of Buffalo public housing and at the same time, are directed at assuring decent, drug-free public housing for Buffalo's low-income families. There is no greater threat to a stable and desirable housing program than the menace of drugs and drug-related crime. In our declared war against the drug problem, I enthusiastically report the steps that this Authority has taken to help clean drugs out of our public housing:

--On July 27, 1987 with the adoption of our Five Year Comprehensive Plan for Physical and Management Improvements, we called for stricter tenant selection and placement policies which include criminal checks and home inspections for new applicants. With respect to incumbent tenants, the Authority has intensified its non-payment evictions and has used other lease clauses such as misrepresentation of income, family compositions and material facts affecting eligibility and continued occupancy re un-desirability evictions. In one case we resorted to stationing two uniformed Housing Security Officers outside of the door of a known drug dealer under the guise that they were there to protect him from anonymous threats on his life. The known drug dealer, whom we later found to have misrepresented his criminal history on the application, "voluntarily" moved from our development in twenty days.

--The Authority has devoted incredible time, effort and money to our security department and its aggressive anti-drug abuse and law enforcement activities.

These activities include:

- Enhanced Academy and In-service training in New York State Penal Law-Articles 220 and 221 (narcotics), Narcotics Investigations, Rules of Evidence, Preservation of Evidence, Drug Awareness, Youth Counselling (services available), Drug Abuse (referral services) and Neighborhood Security Watch Program.

- Established Neighborhood Security Watch Programs at nine of our twenty-seven developments with the goal to have all remaining developments participate within the next year.

- Requested funding under 1988 and again in 1989 C.I.A.P. application to provide private security at all elderly housing developments in order to allow the Authority's security department (29 full time officers, 4 full time sergeants and one Chief of Security) to concentrate on drug-related offenses occurring primarily in the general occupancy developments.

- In 1987 established a three-man Plainclothes Unit which devotes the major portion of their time on drug-related investigations.

- In 1987 the Security Department purchased and installed an IBM Personal Computer and data-based software to track all criminal activities on a category and project basis.

- In 1988 established special detail (overtime basis) foot patrols at the Commodore Perry Development. By simple visibility and saturation, the overall crime rate was decreased by 30% in less than one year.

- In 1987 developed and distributed Anonymous Tip Sheets (printed in English and Spanish) to all development offices to be used by residents to supply information on drug activity without fear of reprisals.

- In 1989 implemented K-9 patrols at the A. D. Price Development in conjunction with the Buffalo Police Department K-9 Unit. This routine foot patrol in a mixed family and senior development with the greatest record of drug abuse and drug-related crime, has been endorsed and embraced by our tenant population and local media.

- In 1986 we instituted an aggressive parking enforcement policy and procedure which was designed to eliminate illegal parking and tow away all junk and abandoned vehicles which had previously been a common sight throughout our developments. We now have a fleet of two automotive wreckers that routinely remove the illegally parked and junk-abandoned vehicles to the City Pound.

- In 1987 we began to vigorously enforce the New York State Open Container Law throughout our developments. The common sight of alcohol users on our properties has been eliminated in order to convince our tenants and the surrounding community that public housing developments are not the "other side of the tracks" nor are our tenants "low-class" individuals. Violators of this law are routinely warned and in many cases issued Appearance Tickets for the City Court.

- In 1987 we established law enforcement liaisons with the city, county and state police as well as the FBI and DEA for purposes of sharing criminal intelligence and initiating joint law enforcement activities. In one such joint activity with the Buffalo Police Department, we were successful in setting up night time surveillance with infrared night scopes placed on the roofs of the high-rise buildings at our largest general occupancy development which lead to the arrest of over one dozen drug buyers.

- In 1989 we have directed Housing Security Officers, in conjunction with K-9 patrols, to demand identification from any suspicious characters found in the development. In addition to the issuance of a written warning (which is later logged on to the security computer with a criminal records and warrant check for follow-up) to those who have no legitimate purpose to be at the project, the officers will oftentimes arrest the non-legitimate visitor and charge him with trespass. The courts have, for the most part, been supportive and have directed the individuals to stay out of the developments as part of the court's disposition.

...In late 1987 the Executive Director mandated that all Authority employees wear photo ID cards and that all maintenance employees wear color-coded work uniforms. This initiative was designed to help tenants distinguish Authority employees from unauthorized visitors.

...All Authority employees from the Management and Maintenance Departments are expected to observe and report any unusual activities, especially suspected illegal drug use.

...The Authority's Legal Division, in addition to accomplishing a number of evictions of suspected drug dealers through the Board of Review process (as outlined by N.Y.S. Law for Public Housing), has met with Attorneys from the United States Attorneys Office for the Western District of New York and secured their agreement to initiate "judicial forfeiture proceedings" in cooperation with Authority and Municipal Police Departments.

...The Legal Division and Management Department are in the process of strengthening the Lease language pursuant to 42 USC 1437d(1) as amended by P.L. 100-690, to allow evictions on the basis of lease violation where drug activity is suspected.

...The Legal Division is researching the potential of using N.Y.S. Law (Real Property Actions and Proceedings, Section 711(5)), as a means of procuring immediate evictions where the leasehold is being used for drug activity.

...The Members of the Authority and Management Department have encouraged and been successful in establishing on-site (large family developments) educational, social service and health care facilities.

At the Commodore Perry Homes and Extension, the Authority's largest general occupancy development, we have established facilities for 13 such agencies including Catholic Charities, Sheehan Memorial Hospital Clinic, Everywoman's Opportunity Center, Buffalo Board of Education/BMHA - One Room Schoolhouse, EPIC Program, etc. Not only has the establishment of education, social service and health care agencies in the developments contributed to comprehensive services for our residents, but the end results are greater viability and marketability of the development.

...In 1986 the Executive Director, in conjunction with the Personnel Division, established a formal Employee Assistance Program which offers drug counselling and rehabilitation programs for employees.

...In 1986 the Executive Director established a policy of progressive discipline and clinical supervision (including performance appraisals and supervisory conferences for all temporary, provisional and probationary Civil Service employees).

...In March of 1989 the Commissioners of the Authority unanimously approved the adoption of a "Drug Free Workplace" Program as required by the Federal Drug Free Workplace Act of 1988. Further, the Board of Commissioners authorized the purchase of the "ACET" Drug Free Workplace Program made available through the New York State Association of Renewal & Housing Officials, Inc.

In closing, it is our belief that the problem of drug abuse and drug-related crime in public housing must be addressed in two major ways. First, we must provide comprehensive education, prevention and treatment programs. Second, we must vigorously enforce all lease provisions and criminal laws. If the lease provisions and/or criminal laws are not sufficient to meet the problems, then they must be amended to the degree that we find necessary. We, (residents and staff) of the Buffalo Municipal Housing Authority, send our sincerest regards and appreciation to you for your aggressive leadership in the fight against drug abuse and drug-related crime in public housing. As I always say, "our residents may be low income but they are not low class!" and to this end they deserve all the energy and resources that we can provide.

I remain in your service.

Sincerely.

BUFFALO MUNICIPAL HOUSING AUTHORITY

Lawrence A. Grisanti

Lawrence A. Grisanti, PHM
Executive Director

LAG:ml
cc:Board Members
All Directors

APPENDIX 3

GRIEVANCE PROCEDURE

A. All disputes concerning the obligations of Tenant or appeals arising under this Lease, shall be resolved in accordance with WHA's grievance procedure in effect at the time such dispute or appeal arises. The procedure is posted in the Project Office and the Admissions and Occupancy Office and incorporated herein for reference. A copy is available to tenants upon request.

B. The following is a summary of the Grievance Procedure. Tenant is advised to consult the full text of the procedure in the Project Office.

INFORMAL SETTLEMENT PHASE

- Grievable dispute arises
- Tenant submits grievance to WHA Central Office or Project Manager within ten (10) working days for informal settlement.
- Manager or other authorized authority representative must set up an informal hearing in an effort to bring dispute to settlement within fifteen (15) days.
- Summary of Discussion will be sent to Tenant within five (5) working days stating the findings of the informal hearing.
- If Tenant is not satisfied with the findings by WHA, Tenant must request a formal hearing within five (5) working days after receiving the Summary of Discussion.

  NOTE: Request for a formal hearing involving rent requires tenant to deposit each month the amount of rent due, as calculated by WHA, into an escrow account until a decision is reached to resolve the complaint.

FORMAL SETTLEMENT PHASE

- Within five (5) working days WHA and Tenant must select a Hearing Officer.
- Within three (3) working days - If Tenant and WHA cannot agree on a Hearing Officer, each person appoints one (1) member to a hearing panel and those two members select a third member within five (5) working days.
- Hearing must be promptly scheduled at a time convenient to both Tenant and WHA.
- A written decision will be forwarded to both Tenant and WHA within ten (10) working days.
- If decision is unacceptable to Tenant, he/she may pursue relief subject to state and local law.

APPENDIX 4

The Chicago Housing Authority

Board of Commissioners
Vincent Lane
Chairman
Robert L. Belcaster
Arthur M. Brazier
Milton Davis
Handy L. Lindsey, Jr.
Artensa Randolph
Vice Chairman
Ruth M. Rothstein
Vincent Lane
Managing Director

CHICAGO HOUSING AUTHORITY

EMERGENCY HOUSING INSPECTIONS PROGRAM

("OPERATION CLEAN SWEEP")

RELATED BACKGROUND MATERIAL

22 West Madison Street • Chicago, Illinois 60602 • Telephone (312) 791-8500

CHICAGO HOUSING AUTHORITY

OPERATION CLEAN SWEEP

The Chicago Housing Authority (CHA) owns and operates over 40,000 units of federally-subsidized public housing. It is the second largest housing authority in the country, and for many years has been widely regarded as the most troubled. The CHA was recently reorganized under Vincent Lane, a successful private developer and community leader, and a crisis management team. With strong support from the civic and business community, and with the active cooperation of the Department of Housing and Urban Development, the CHA has begun to make real, operational improvement.

The two greatest challenges now facing the CHA are the interrelated problems of drugs and gangs. These problems are not unique to the CHA. Indeed, they are symptomatic of broader social changes that have devastated poor communities everywhere. In public housing, however, and especially in Chicago, the intense concentration of poverty has made these changes all the more destructive.

Until the problem of drug dealing gangs is controlled, the CHA cannot meet its mission of providing decent, safe, and sanitary housing. To that end, in the fall of 1988 the CHA and the Chicago Police Department jointly initiated Operation Clean Sweep, an unprecedented program to rid selected high rise properties of the drug element. Under the program, the Chicago Police Department first dispatches 50-60 officers to secure the perimeter and interior areas of the building. Next, CHA teams enter the building to inspect each apartment and all common areas, both to identify deferred work items and to ensure that only legitimate lease holders remain in the building. If controlled substances or other contraband are found, the Chicago Police Department are called in to make arrests. The building is then "secured" by enclosing the lobby and residents are issued photo-identification cards. Following the sweep, CHA repair crews remain at the development for a period of several weeks to make necessary repairs and to ready vacant units for occupancy. Additionally, a new visitation policy is instituted, restricting access to residents and accompanied guests.

The sweeps, which have been implemented in seven buildings, have resulted in dramatic reductions in crime and drugs. A Chicago Tribune analysis showed that, authority-wide, crime dropped by more than 13 percent since the new administration took over; much more substantial

reductions have occured in buildings that were swept. At 2417 Rockwell, for example, the first swept building, 17 violent crimes, including a murder and 4 robberies, had been reported at the building the year prior to the sweep, but none was recorded in the three months after the sweep.

The continuation of this highly successful program, however, will depend on securing additional resources. The CHA estimates that it costs about $150,000 to sweep a 100-unit building, excluding Chicago Police Department costs; several hundred thousand dollars more are needed annually for the on-going cost of security and related drug intervention and prevention programs, although it is hoped that resident participation in tenant management can reduce this cost. Overall, it is estimated that very substantial sums will be needed to continue the sweep program, it appears, however, (depending on the number of buildings swept, the CHA has a total of 169 family high-rise buildings). That such expenditures would substantially relieve the problems of crime and drugs at the CHA and would be well spent.

CHICAGO HOUSING AUTHORITY

EMERGENCY HOUSING INSPECTIONS PROGRAM

("OPERATION CLEAN SWEEP")

APRIL 10, 1982

This memorandum summarizes the steps taken by the Chicago Housing Authority (CHA) in connection with its Emergency Housing Inspections Program, popularly known as "Operation Clean Sweep". Emergency Housing Inspections, or "sweeps", have been instituted in five high-rise apartment buildings, containing a total of 900 units.

A. Background

The CHA is the second largest housing authority in the nation, with 50,000 units under management. These units are contained in some 1,500 buildings, predominantly in the south side of the City. Approximately 150,000 people live in CHA public housing, or about 5 percent of the City's population. Seventy-five percent of the units are rented by non-elderly households. The median household income is $5,000, or about 15 percent of the median for the nation.

Over the past twenty years, conditions within CHA developments have steadily deteriorated. The properties are overrun with a host of social problems, including crime, welfare dependency, illiteracy, and substance abuse. These problems are compounded by long-term physical neglect. Approximately 80 percent of the family units are rented by single-mothers on public assistance. CHA developments are believed to have the largest concentration of poverty in the nation.

Within just the past few years, crime and drug use has reached emergency levels. Overall, the incidence of violent crimes at CHA developments is twice the city average. At certain developments, crime is four times the city average.

Violent Crimes Per 1,000 Residents

Rockwell Gardens	83.9
Stateway Gardens	89.9
Cabrini-Green	40.9
Remainder of Chicago	22.4
National Average	6.2

Source: Newsweek.

Because a great many crimes go unreported, the above

statistics understate the actual number of crimes committed. Many residents no longer report crimes because of the perceived ineffectiveness of police action.

Gangs represent the most serious crime problem at the CHA. The gangs now control access to the high-rise family developments, intimidating both residents and employees. Often, residents must pay to enter the buildings or to ride in the elevators. On many occasions, gangs have opened fire on buses, pedestrians, and on opposing gang members.

Because of the dominant nature of the gangs and their willful use of violence to protect their turf, the authority cannot meet its mission of providing decent, safe, and sanitary housing. The vacancy rate at the high-rise family developments now exceeds 25 percent, as many residents have moved out of the buildings. At the same time, maintenance crews often cannot enter the buildings to make repairs. Even when repairs are made, particularly to common areas, the gangs are quick to vandalize.

B. Assessment of the Problem

From discussions with CHA staff and members of the Chicago Police Department (CPD), it was determined that the only way to significantly reduce crime at the high-rise family developments would be to "clean" the buildings of the drug dealing gangs, once

cleaned, to keep them from returning. Few of the drug dealers or gang members are listed on the lease, but reside either illegally with residents or in vacant apartments.

Because the gangs have highly sophisticated forms of surveillance, it was determined that "incident-oriented" police procedures were no longer effective. Rather, it was determined that the buildings would have to be inspected "en-masse" and also that entrance into the buildings, which were designed without enclosed lobbies, would eventually have to be secured and monitored.

C. Sweep Procedures

The basic components of the Emergency Housing Inspections Program are described below:

1. SELECTION OF SITE.

   - Chairman makes selection of site the night before the sweep. Decision is made on the grounds that there is an immediate threat to the safety and welfare of residents and employees. Chairman notifies department heads and Chief of Police. No other staff are informed.

2. OFF-SITE STAGING AREAS.

   - Resident services, management, and security meet the morning of the sweep at staging area to review procedures prior to leaving for the sweep building.

   - Police also preview sweep procedures at their own staging area.

3. **POLICE SECURE PERIMETER OF BUILDING.**

   - Approximately 60 police officers arrive on site. One police officer is positioned at each egress on each floor. Additional police surround the exterior grounds. No one is allowed to leave the premises without identifying themselves.

4. **POLICE NOTIFY STAGING AREA THAT BUILDING IS SECURE.**

   - After police secure the building, the police call CHA staging area to notify sweep team to leave staging area.

5. **NOTIFICATION OF PRESS AND LOCAL OFFICIALS.**

   - Once the police call the staging area and indicate that the building is secured, CHA staff notify press and local officials that operation is underway. A press package is made available and a person is left behind to handle calls and questions.

6. **OPERATIONS CENTER OPENED.**

   - When sweep team arrives at the building, an Operations Center is opened on-site to issue resident photo-identification cards, to process work-orders, and to provide counseling and information to residents.

7. **INSPECTION TEAMS INSPECT UNITS.**

   - Four to six inspection teams are sent into the building. Inspection teams inspect every unit and all storage, common, and utility rooms. Teams complete one floor at a time. Teams consist of a representative from resident services, maintenance, and a security guard. Police do not enter occupied units and are called in only if needed. If guns or drugs are found inside the apartment, the inspection team steps out of the unit and requests police to enter the unit. An emergency inspection form is completed for each unit. Staff examine all structural elements to determine if unsafe and unsanitary conditions exist. The team is instructed not to inspect the person or personal property of any individual. All occupants are checked against the lease.

8. **COMPLETION OF INSPECTIONS.**

   - Following completion of inspections, the police leave the development. CHA then secures the building and provide 24-hour security protection.

9. LOBBY ENCLOSED.

- A repair crew seals off front and rear entrances with plywood. This temporary enclosure is then replaced, by the end of the day, with iron gates and panic bars.

10. GUEST POLICY INSTITUTED.

- Residents are asked to remain in their units until the entire building has been inspected. Following that period, which takes approximately 2-3 hours, residents are requested to report to the Operations Center for issuance of a photo-identification card, which now must be shown to enter the building. Persons not named on the lease are given the option of being placed on the lease, acknowledged as a tenant-guest, or permitted to leave the building if not authorized to be there. From this point onward, security guards restrict entrance to the building to residents and their guests. Guests must register at the security desk.

11. BUILDING REPAIRS.

- Over a period of several weeks, a repair crew remains at the development to complete work identified on the emergency inspection forms. Work generally includes: (1) rehabilitating lobby areas, (2) repairing garbage chutes, (3) repairing lighting fixtures (interior stairs, lobby and exterior), (4) painting stairwells and common corridors, and (5) removal of exterior building graffiti.

12. FOLLOW-UP SOCIAL SERVICES & RESIDENT EMPOWERMENT

- Activities include establishing floor captains, building councils, resident lobby guards, resident security guards, and a resident/management screening and eviction committee.

It should be further noted that certain changes in procedures were made between the first and last sweep. For example, pursuant to a lawsuit from the American Civil Liberties Union, the CHA no longer requires that guests leave the building by 12:00 a.m.

D. Special Problems and Procedures

I. Photograph Identification of Tenants

While inspecting the apartments, inspection teams request that all CHA tenants whose names appear on the lease to go to the Operations Center to have a photo identification taken. When a tenant who was not at home during the sweep returns to the building, they are instructed by the security guards at the front door to report to the operation center to receive a photo identification card.

II. Persons Not Named on a Lease

In the event that persons not named on the inspection lease are found in the building, they were requested to go to the Operations Center. Once in the center, any such individual is given the choice to: (a) be placed on the lease and receive a photo ID, (b) leave the building, or (c) request that they remain as a visitor.

III. Visitation Policies

During the day of the sweep, a formal Visitation Policy was posted on the walls and common areas of the

buildings. In short, the Visitation Policy requires visitors, upon entering the building, to identify themselves and sign in. Each visitor has to receive the expressed consent of a tenant in that building prior to entering.

IV. Sensitivity to Individual Needs

Implementation of the visitation policy and the requirement that tenants obtain a identification card calls for special efforts by the CHA to meet the needs of certain individuals.

For example, the sweeps were conducted on school days, to insure that young children are not present in the buildings at the time of the sweeps. This means that children will return to their homes after school to find that the building has been secured. Under the photograph identification procedures and visitation policy, children over the age of seven (7) are issued identification cards. Before they are issued the cards, however, they must show that they are on the lease. To handle this procedure, CHA sets aside a separate room inside the building where children can wait, play and study, while CHA staff locate their

parents or make arrangements to let them into their apartments.

Also, it is necessary to show special care to the infirmed and handicapped. Many individuals could not physically go to the Operations Center to have pictures taken of them, and therefore, the CHA had to make special arrangements for these people.

V. Post-Sweep Repairs

Repairmen and artisans remain at the developments over the next several weeks to complete repairs. The costs of the repairs vary from building to building based on the conditions of the units, the number of vacancies, and the configuration of the buildings.

VI. Vacancy Reduction

Following the initial inspections of each of the apartments, repairmen and artisans work extensively to refurbish vacant apartments. In instances where extensive vacancies exist, a vacancy consolidation program is instituted, whereby the top floors are sealed until renovations can be completed, one floor at a time.

VII. On-going Security

Following the sweep, a twenty-four hour security staff remains at the development. On-going cost security is estimated to cost around $300,000 per building, an amount that cannot be sustained under the performance funding system.

VIII. Follow-up Social Services

Resident services makes contact with the residents to provide counseling and support services.

SUMMARY OF CHICAGO HOUSING AUTHORITY PROCEDURES FOR EMERGENCY HOUSING INSPECTIONS ("OPERATION CLEAN SWEEP")

APRIL 10, 1989

1. IDENTIFICATION AND ASSESSMENT OF DRUG PROBLEM.

   - o Chairman meets with CHA staff to review police reports and crime statistics.

2. POLICE DEPARTMENT OUTREACH.

   - o CHA staff meet with the Chicago Police Department (CPD) to discuss drug problems at CHA developments and potential corrective actions.

3. INTERDEPARTMENTAL PLANNING MEETINGS.

   - o Chairman meets with staff from maintenance, management, resident services, general counsel, etc., to discuss appropriate procedures and to coordinate responsibilities.

4. DRY-RUN.

   - o Key staff walk-through sweep procedures at a selected development (one that will not be swept).

1. SELECTION OF SITE.

   - o Chairman makes selection of site the night before the sweep. Decision is made on the grounds that there is an immediate threat to the safety and welfare of residents and employees. Chairman notifies department heads and Chief of Police. No other staff are informed.

2. OFF-SITE STAGING AREAS.

   - o Resident services, management, and security meet the morning of the sweep at staging area to review procedures prior to leaving for the sweep building.

   - o Police also preview sweep procedures at their own staging area.

7. POLICE SECURE PERIMETER OF BUILDING.

- Approximately 60 police officers arrive on site. One police officer is positioned at each egress on each floor. Additional police surround the exterior grounds. No one is allowed to leave the premises without identifying themselves.

8. POLICE NOTIFY STAGING AREA THAT BUILDING IS SECURE.

- After police secure the building, the police call CHA staging area to notify sweep team to leave staging area.

9. NOTIFICATION OF PRESS AND LOCAL OFFICIALS.

- Once the police call the staging area and indicate that the building is secured, CHA staff notify press and local officials that operation is underway. A press package is made available and a person is left behind to handle calls and questions.

10. OPERATIONS CENTER OPENED.

- When sweep team arrives at the building, an Operations Center is opened on-site to issue resident photo-identification cards, to process work-orders, and to provide counseling and information to residents.

11. INSPECTION TEAMS INSPECT UNITS.

- Four to six inspection teams are sent into the building. Inspection teams inspect every unit and all storage, common, and utility rooms. Teams complete one floor at a time. Teams consist of a representative from resident services, maintenance, and a security guard. Police do not enter occupied units and are called in only if needed. If guns or drugs are found inside the apartment, the inspection team steps out of the unit and requests police to enter the unit. An emergency inspection form is completed for each unit. Staff examine all structural elements to determine if unsafe and unsanitary conditions exist. The team is instructed not to inspect the person or personal property of any individual. All occupants are checked against the lease.

12. COMPLETION OF INSPECTIONS.

- Following completion of inspections, the police leave the development. CHA then secures the building and provide 24-hour security protection.

13. LOBBY ENCLOSED.

- A repair crew seals off front and rear entrances with plywood. This temporary enclosure is then replaced, by the end of the day, with iron gates and panic bars.

14. GUEST POLICY INSTITUTED.

- Residents are asked to remain in their units until the entire building has been inspected. Following that period, which takes approximately 2-3 hours, residents are requested to report to the Operations Center for issuance of a photo-identification card, which now must be shown to enter the building. Persons not named on the lease are given the option of being placed on the lease, acknowledged as a tenant-guest, or permitted to leave the building if not authorized to be there. From this point onward, security guards restrict entrance to the building to residents and their guests. Guests must register at the security desk.

15. BUILDING REPAIRS.

- Over a period of several weeks, a repair crew remains at the development to complete work identified on the emergency inspection forms. Work generally includes: (1) rehabilitating lobby areas, (2) repairing garbage chutes, (3) repairing lighting fixtures (interior stairs, lobby and exterior), (4) painting stairwells and common corridors, and (5) removal of exterior building graffiti.

16. FOLLOW-UP SOCIAL SERVICES & RESIDENT EMPOWERMENT

- Activities include establishing floor captains, building councils, resident lobby guards, resident security guards, and a resident/management screening and eviction committee.

PROTOTYPE "SWEEP" OF 100-UNIT HIGH RISE BUILDING

1.	Lobby Enclosures	$ 20,000
2.	Painting & Illumination of Public Space	20,000
3.	Vacant Unit Make-Ready ($3,000/Unit & 20 Units)	60,000
4.	Occupied Unit Repairs (80 Units x $500)	40,000
5.	Security (During Sweep + 2-Day Follow-Up)	15,000
6.	Resident Services	5,000
7.	Police (Provided by Chicago Police Department)	-
	Total	$160,000

NOTES TO SWEEP BUDGET

In general, costs vary according to the configuration of the building, the number of vacant units, the condition of the units, and the level of rehabilitation performed.

1. Lobby Enclosures.
   To date, sweeps have occurred at high-rise buildings that were designed with open-air entranceways (a design feature that is not common to high-rise buildings at other housing authorities). The costs include sealing off fron and rear entranceways with plywood, followed by steel doors and panic bars. Also included are alarms on rear doors and front door buzzer systems. To design a new entranceway, as opposed to sealing the existng entranceway, would cost an additional $60,000 per building.

2. Painting and Illumination of Public Space.
   Costs include the removal of graffiti from the face of the building, the installation or repair of all lighting fixtures throughout the building, and the painting of all hallways, stairhalls, and common areas.

3. Vacant Unit Make-Ready.
   Costs include the removal of furniture and debris, the installation of master locks, painting, and repairs (plumbing, electrical, tiling, new appliances, and widow pane and frame replacement, where necessary).

4. Occupied Unit Repairs.
   The repairs made to the occupied untis include basic plumbing and deferred maintenance.

5. Security.
   Costs include the deployment of 15 security guards during the sweep itself and a 24-hour security force for the two days following the sweep. The on-going cost of security (beyond the initial 2-day period) is not included in this budget but would run about $350,000 per building.

6. Resident Services.
   An employee from resident services accompanies the security and management staff on each inspection. Additonally, resident services personnel staff the Operations Center to issue photo identifications and to provide counseling.

7. Police.
   The cost of police is not borne by the CHA.

SWEEP MANPOWER CHART

RESIDENT PROGRAM SERVICES

1 - DIRECTOR
4 - INSPECTORS
5 - COUNSELORS

REPAIR CREW

1 - DIRECTOR
11 - CRAFTSMEN

SECURITY GUARDS

5 - FIRST FLOOR SECURITY
10 - BUILDING PATROLS

CHA EXTERNAL AFFAIRS

2 - ON-SITE
2 - CENTRAL OFFICE

EXECUTIVE STAFF

1 - CHAIRMAN
1 - GENERAL COUNSEL
2 - MANAGEMENT

CHICAGO POLICE

40 - FLOOR PATROLS
10 - GROUNDS
10 - FIRST FLOOR

Inspection Procedures
Chicago Housing Authority
Operation Clean Sweep

Purpose of these procedures is to outline the function of each participating organization involved in Operation Clean Sweep:

The policy of Operation Clean Sweep is to first insure the safety of the search teams and residents during the course of this operation. The objective is to turn the development (apartment) into a safe, secure, and clean environment for the residents.

I. Chicago Housing Authority Inspection Teams:

1. Will inspect occupied apartments after the security guards first knock on the door and enter the apartment.

2. CHA personnel will check residence occupancy list, verifying lease holder and all legal occupants.

3. CHA personnel will check for any repairs needed in apartments.

4. CHA personnel will denote general housekeeping condition, and take pictures of apartments when deemed necessary.

5. CHA personnel will notify carpenters, locksmiths, etc., when checking apartments and floors.

6. CHA personnel will insure that all vacant apartments are cleaned up then boarded up.

7. CHA personnel will notify the Department of Human Services when an immediate eviction is necessary. Also, the moving company will be notified.

8. All residents will be asked to go to the Operation Center established on the first floor, for tenant photo identification cards and to register with the eye-scam system.

9. CHA personnel will determine when a sweep of a particular floor is completed, and will lead the teams to the next floor.

Private Security Guards:

1. Will assist the CHA inspection team into each occupied apartment.

2. Private security guards will knock on the door of the occupied apartment first, not standing directly in front of the door.

3. The security guards will enter the apartment first, making sure that the apartment is safe for the CHA teams to enter.

4. The security guards will inspect for illegal weapons, drugs, or stolen property that are in plain view.

5. The security guards will always insure the safety of the CHA teams.

II. Residential Services:

1. Will observe the initial inspection of the CHA inspection teams and provide back-up direction and instruction to residents when deemed necessary.

2. Will provide follow-up referral to social service agencies and insure that the proper assistance is afforded the residents.

3. All apartment conditions should be noted and logged by the Residential Services team.

17 10 00

Dear Sir:

I am the president of the 1013-1017 N. Larrabee Building Council. I would like to ask your help in an attempt to solve some of the problems in my immediate area.

It is a popular belief that the residents of Chicago Housing Authority developments are unconcerned about the poor living conditions and crime due to rampant gang activities in our development.

Contrary to that belief I represent a number of Cabrini Green Residents that are very much concerned! I have tried to seek help from the Chicago Housing Authority Management, the department of Human Services and also City Services. Their response is to totally ignore our plight. These problems consist of continued unchecked vandalism, little or no security and yes, even unanswered calls to alert police to unlawful gang activity I know this may not be your area of expertise, but any assistance or recommendations you can offer will be greatly appreciated.

We feel if C.H.A. would enforce stricter maintenance rules, give us some very much needed security we would be able to stop the loitering by the gang members and others who do not live in the building complex. It woul then be possible for us to keep our hallways from being used as latrines shooting galleries for the JUNKIES, and keep our children from being forced to join gangs or suffer physical and verbal abuse.

We are tired of being an eye sore to our city and in our community. We are more than willing to help our selves but we also need the help of those agencies that are supposed to be there for just such a purpose as ours. We would like to form activities that will give our children more constructive association and positive attitudes.

We feel the first step should be for C.H.A. to at least meet with us and attempt to work out a solution that we can all live with.

If possible we would like to have you come and see the conditions we are forced to live in, meet with us and don't feel because we are poor, we are not important enough to deserve your help. We dodge bullets, bricks and bottles every day and night and we know that with your help we can change this. We can't afford to pay rent anywhere else, so please help!!

Another problem we have is with the police officers that patrol the Cabrini Green area. They will pick up a known gang member and drive him to the neighborhood of a rival gank, throw him out of the car, yell to the rival gang members "HERE HE IS" and when the boy starts to run for his life they laugh and drive away.

We trust in your fairness for all the citizens of Chicago and thank you in advance for your anticipated assistance in this matter.

We await your response.

Respectfully yours,

Henry Lee Johns
Building Counsel President
1015 N. Larrabee, Apt. #206
Chicago Illinois 60610
(312) 337-6979

Senate Permanent Subcommittee
on Investigations
EXHIBIT # 2

U.S. DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT
THE SECRETARY
WASHINGTON, D.C. 20410-0001

February 28, 1989

MEMORANDUM FOR: Public and Indian Housing Authorities

FROM: Secretary of Housing and Urban Development Jack Kemp

SUBJECT: Drug Abuse Elimination Efforts

In my recent visits to public housing projects I was shocked by the public and open sale of drugs. I understand the difficult challenge faced in maintaining a decent living environment for residents when criminals traffic in drugs at their doorsteps. I intend to assist you and law-abiding residents in eliminating this plague from public housing.

In order to do so, I ask that you report to me within 30 days about what you are doing to deny access to public housing to those who have consistently violated the law and who undermine the livability of public housing projects. Please include a report about what you are doing to evict drug abusers and drug dealers from your projects.

We must work together to promptly address this menace. I look forward to receiving a specific report from you detailing what actions you are taking, as well as learning of any ideas you may have to fight drugs in public housing projects. I will expect your response within thirty days.

DRUG ABUSE ELIMINATION EFFORTS

THE PUBLIC HOUSING AUTHORITIES RESPOND TO SECRETARY KEMP'S MEMO

APRIL 17, 1989

Responses to Secretary Kemp's Drug Letter

Approximately one-third (1,018) of the Public Housing Authorities (PHAs) around the country responded to the Secretary's voluntary request for information, an amount that overwhelmed the Department's staff.

Seventy percent of the medium and large responding to Secretary Kemp's letter of February 28th reported wrestling with problems of drug abuse; over one third of the small PHAs also reported drug abuse problems. (Large PHAs are those with 1250 units or more; medium have 500 to 1249 units; and small have less than 500 units.)

About half (52 percent) of the PHAs in the Eastern half of the country reported problems with drug abuse; only 37% of the PHAs in the western part of the country reported such problems.

The Secretary's letter asked the PHAs to specify what actions they were taking regarding admission and eviction of drug abusers, and "any ideas you may have to fight drugs in public housing projects."

Most PHAs admitting a drug problem detailed extensive screening processes, requesting personal references, past landlord and past employer references, some credit checks, and other background information. This information seemed to be part of their normal screening procedure, although many indicated that drug problems have caused them to significantly tighten the screening process, and many now include police reports and information when considering potential tenants. For the most part, the PHAs seem confident of their success in the admissions process and proudly proclaim it an important component of drug elimination efforts.

In regard to evictions, PHAs generally reported that when a tenant is caught with drugs, they are evicted. Drug use, many said, is included in their tenant leases as grounds for eviction; and the lease in enforced. They typically did not clarify whether or not such eviction is limited to those who have been convicted of illegal drug activity. The most common request the PHAs made of Secretary Kemp was to allow them greater ability and altitude to evict tenants that were involved in illegal drug activity, which would be manifested in a speedier eviction process.

Some PHAs expressed confusion regarding their ability to evict drug users and traffickers without enduring a lengthy legal process. Their statements sometimes came in the form of a personal plea that expressed hopelessness and helplessness in their inability to utilize what some perceived should be their first line of defense, their basic weapon, in the battle against drugs in public housing. The following comments were made:

- o HUD should improve guidelines on what legal authority and rights PHAs have in fighting drugs in public housing.

- o HUD should better explain eviction regulations.

- o HUD should allow leases to order drug evictions explicitly.

- o HUD should provide money for security improvements, drug education, outreach, and other preventive measures.

- o HUD should help organize a system whereby the names of tenants convicted of illegal drug activities are collected in one location or database for the purpose of background checks during the admissions process.

- o HUD should conduct training sessions for PHAs to develop anti-drug strategies.

PHAs reported success with a variety of legal strategies for ridding their developments of those involved with illegal drugs. Some successfully evicted drug dealers by enforcing their lease provisions allowing eviction for "disturbing the quiet enjoyment and security of other residents." Others got Federal marshals to invoke Federal seizure and forfeiture laws to seize the leasehold and turn the units over to the PHA for re-rental.

In some cases, persons involved in drug traffic were removed from the premises through enforcement of loitering or trespass laws. In Chicago, residents have been issued photo identification which must be presented for entry into the project buildings. Cars in public housing parking lots in some PHAs are required to show tenant ownership by displaying a separate decal. Various physical changes, such as security fences, walls, and lighting, have been carried out with CIAP funds to make projects more secure.

Almost 200 of the 600 letters analyzed indicated that the PHA was actively involved with law enforcement efforts. A near equal number were involved in education and outreach efforts. Both law enforcement and education efforts were typical of large PHA responses, and about a quarter of the small authorities were also engaged in such efforts. The eastern and western PHAs were about equally likely to be involved in law enforcement and education and outreach.

Small PHAs with drug problems reported, among many other responses, weekly meetings with the sheriff to review arrests and coordinate operations and encouraging neighborhood watch groups to play a leading role in fighting drugs and illegal activity. Large PHAs outlined extensive city and housing police operations in the developments.

An activity that transcended PHA size was anti-drug education. Whether it was the small PHA that brought a speaker to its community center to instruct residents on spotting drug abuse, or the medium-sized PHA that worked with local schools on warning children against drugs, the PHAs are significantly involved in drug abuse prevention. Some PHAs also reported working with city or social service agencies on treatment, referral, and counselling.

It is apparent from these responses that the problem of drug abuse in public housing cannot be neatly classified as being either demand-side or supply-side in nature. It is more a mixture of the two. On the supply-side, some developments serve as distribution centers for drugs, and the PHAs must use law enforcement techniques to flush out the dealers and traffickers. But on the demand side, the widespread use of illegal substances has fostered a drug culture in the developments that must be remedied. In these cases, PHAs should develop comprehensive prevention strategies which include resident management training and involvement; referral to treatment and counselling, day care and youth employment initiatives. Other social and recreational youth alternatives may involve the private sector through organizations such as Boys Clubs, churches, and local recreational agencies.

Among those PHAs reporting drug problems, and even among many that reported no problems, there seems to be a genuine interest "in eliminating this plague from public housing," as Secretary Kemp wrote. Several PHAs reported distributing the Secretary's memo to all the tenants or posting it on a public bulletin board. Many others were struck by the Secretary's sincerity and the symbolism that his first communication to them was on the issue of drug abuse. This cordiality can only strengthen the PHAs' resolve to do everything in their legal power to kick the drug pushers out of public housing.

Senate Permanent Subcommittee
on Investigations
EXHIBIT # 7

April 5, 1989

To Whom It May Concern,

Subject: Claridge Towers
1221 M Street NW
Washington, DC 20005

This building was originally chartered as a Senior Citizen apartment building. It has deteriorated into a Crime Ridden, Filthy Squatter Infiltrated, Pitiful Shell of its former self. Elderly, long-time residents on the 9th floor have resorted to mopping floors in front of their apartments and asking assistance in replacing light bulbs in the hallways because they are too intimidated to ask the office to do so. At night they cower inside their apartments in fear of Drug Addicts, Bootleggers and Gambling Casinos. Within the past week we had a drug overdose death and a shooting!

Residents have their children living here, along with their childrens' toddlers. As late as midnight there are small children running up and down the halls.

The law-abiding citizens of this building are completely confused by the benign neglect of housing officials to these long term problems.

Sincerely,

Charles Jenkins

Charles Jenkins
1221 M Street NW #912
Washington, DC 20005
Tel. #(202)-371-5496

Update 4/12/89 84yr Old Female Tenant Robbed at Knifepoint..

Senate Permanent Subcommittee
on Investigations
EXHIBIT # 8

GOVERNMENT OF THE DISTRICT OF COLUMBIA
DEPARTMENT OF PUBLIC AND ASSISTED HOUSING
1133 NORTH CAPITOL STREET, NORTHEAST
WASHINGTON, D.C. 20002-7599

REPLY TO

Honorable Jack Kemp
Secretary
U.S. Department of Housing and
Urban Development
451 Seventh Street, S.W.
Washington, D.C. 20410-5500

Dear Secretary Kemp:

Thank you for giving housing authorities an opportunity to share our concerns about problems of crime and drugs on public housing properties. We are pleased to share with you what we are doing and planning to do to combat this menace.

As you are aware, the District of Columbia, like many large cities, is experiencing a devastating problem with drugs in the community. Unfortunately, the drug problems confronting the District's public housing communities simply mirror that of our society.

To address this problem, the Department of Public and Assisted Housing is currently pursuing several strategies. In addition, several measures are being planned for future implementation. These executed and planned strategies are as follows:

SECURITY MEASURES CURRENTLY IMPLEMENTED:

- **Change in Dwelling Lease to Emphasize Department's Tougher Stance on Illegal Drug Activity on Properties:**

  The Department revised the dwelling lease in August 1988 to include specific language in the lease regarding the Department's termination of tenancy for those residents engaged in the "Sale or distribution of illegal drugs or paraphernalia on or about the property"; "Brandishing or discharging firearms or other deadly weapons on or about the property"; and the "Conviction of a crime committed on or about the property."

- **Enforcement of Lease with Assistance of the D.C. Metropolitan Police Department:**

  To keep apprised of the drug arrests made on DPAH's properties, the Police Department transmits arrest reports to the Department through the city's Operation Fightback Program administered by the Police Department. DPAH staff in turn initiates legal action based on the information supplied in the police reports.

- **Adopt a Cop**

  Is a program implemented by the Department to provide additional security on senior properties. The program involves off-duty police officers who volunteer their time to patrol the Department's senior properties. The police officers are also involved in education sessions with the residents to enhance their knowledge of security procedures.

- **Securing Vacant Units**

  The Department is currently experiencing problems maintaining security in vacant units. After staff secures the units, vagrants or other illegal occupants through forced entry, enter the units and in some instances use the units for illicit drug activity. The various police districts are working with individual property managers to vacate and secure vacant units.

- **Police Surveillance from Vacant Units**

  The Department provides access to vacant units for police surveillance when drug activity is suspected in neighboring units.

- **Posting of "No Loitering" and "No Trespassing" Signs at DPAH Properties**

  In an attempt to discourage large gatherings, particularly in those areas known to the Police Department for illicit drug activity, "No Loitering" signs have been posted by DPAH staff. The Department is working with the Police Department to ensure enforcement of these prohibitions.

- **Guard Service Provided Under Contract**

  The Department contracts for twenty-four (24) hour guard service at twelve senior highrise buildings and one (1) highrise family property. At each highrise site with guard service, all visitors to the building are required to sign-in and sign-out during visits and are required to present a picture identification upon entry to the building. Visitor passes are issued, and all guests to the building must display the passes while in the building. Noncomplying guests are escorted from the building by the security guards.

- **Closed Circuit TV Screens and Monitoring Devices are Installed at Three Pilot Properties**

  To further address security problems in senior buildings, the Department is currently installing closed circuit TV screens and monitoring devices at three (3) pilot properties. If this measure is successful in enhancing security, the Department will explore the feasibility of placing security hardware at other DPAH sites.

- **Modifying Physical Structures at Properties**

  The Department has installed exterior lights at various properties, replaced locks at building entrances and exits, strategically placed a wrought iron fence to displace drug traffic at one property, and demolished garden privacy walls to reduce concealment of drug activity.

FUTURE PROGRAM INITIATIVES:

We recognize that government alone cannot solve the drug crisis in public housing. Therefore, we plan to complement our efforts by requesting assistance from the private sector. We intend to recruit leaders from the religious, business and fraternal community to aide us in this fight. We will be asking them to provide spiritual guidance, apprenticeship training, social and role model activities.

The Department also recognizes that the social and economic problems confronting our residents directly and indirectly contribute to the pernicious drug activity on DPAH properties. In an effort to address the problems of drugs and promote self-sufficiency among our residents, the Department has established working relationships with other D.C. agencies and private organizations to provide needed social services to our communities. To date, the Department has been successful in coordinating a vast array of programs such as the Alcohol and Drug Abuse Service administered by the Department of Human Services which provides substance abuse counselling, and the Operating Services Assisting Youth (OSAY) program administered by the Department of Recreation which provides structured recreational activities for youths at the sites.

- **Education**

  The Department plans to launch an education program aimed at creating an environment of quality living for young people on our properties. We fully intend to provide youths with structured cultural, educational programs by utilizing organizations such as the 4-H Club and Boys and Girls Club. We plan to expand efforts we have already begun with the D.C. Public School system. We also plan to explore similar opportunities with area colleges and universities.

- **Security Lighting**

  We are reviewing the lighting situation on all of our public housing properties. This effort is being undertaken to insure adequate lighting for police surveillance aimed at limiting our properties from becoming havens for open air drug markets. We intend to call on security firms to explore the possibility of designing and strategically placing shatterproof lighting fixtures on our properties.

- **Parking by Permit Only at DPAH Sites**

  At several DPAH sites, parking lots are used for drug transactions. Illegal occupants involved in drug activity regularly park their vehicles on the Department's lots. In an effort tO curtail these problems and identify those illegal occupants on the sites, the Department will restrict all parking to residents of the sites. Parking permits will be issued and all cars will be registered in the management office. Signs have already been posted and once permits are issued, all cars without permits will be towed off DPAH properties. With the assistance of the Police Department, this new procedure will assist management in the identification of illegally parked cars and the identification of illegal occupants living at various sites.

- **Identify Illegal Occupants Residing in Units**

  Property staff in the Department accompanied by the Police Department will conduct individual unit inspections at sites experiencing problems with illicit drug activity to identify illegal occupants residing on the properties. If illegal occupants are discovered, legal action will be initiated against the household.

- **The Resident Security Volunteer Program**

  The Department plans to initiate this low cost, volunteer-based program during this fiscal year. The mechanics of the program are relatively simple. The resident security volunteers will monitor the traffic through the lobbies and notify management or the Police Department of any unauthorized visitors. They will not confront intruders, however, after normal working hours they will have total authority to refuse entrance to anyone who appears to be of a suspicious nature. In exchange for their services, residents will receive a rent abatement. This program is modeled after the program initiated by the Baltimore, Maryland Housing Authority.

- **Regional Coordination**

  We plan to meet with other housing authorities in our region to discuss ways to coordinate our fight against drugs. We believe that it is imperative that we not only share ideas on combating drugs, but also information which may lead to the arrest of individuals trafficking between our properties.

The Department believes that the strategies listed above collectively are vital to our attempt to achieve drug free public housing in the District of Columbia. However, at the same time, we recognize that these measures are not enough. The Department must have the ability to move swiftly in the eviction of drug dealers from public housing. Thus, the Department strongly urges the Department of Housing and Urban Development, working in conjunction with PHAs around the country, to move quickly in the

development and implementation of federal legislation which would allow PHAs to regain possession of public housing units through an expedited eviction process. Towards that end, we applaud your expeditious handling of the evictions request made by the Alexandria, Virginia officials.

We appreciate this opportunity to share our strategies and concerns in our fight to rid our public housing sites from the devastation caused by illicit drug activity. We look forward to providing input, as well as receiving assistance, in dealing with this most important issue.

Sincerely,

Roland L. Turpin
Acting Director

Senate Permanent Subcommitt
on Investigations
Adopted w/ Corrects
1/20/82

Tenant Selection Procedure

Tenant Selection at Kenilworth Parkside Resident Management Corporation (KPRMC) shall be in compliance with HUD guidlines and National Capital Housing Authority policies governing admission to occupancy of public housing.

The objectives of the Leasing Program of the KPRMC are as follows:

1.) To provide safe and sanitary rental housing for families with low income, at rental consistent with their incomes.

2.) To standardize the interpretation and application of policies and procedures related to tenant eligibility and selection.

3.) To administer such policies and procedures with full regard to the Rights and privileges of the applicants.

4.) To offer equal opportunities for public housing to all eligible applicants, consistent with public saftey and health.

Applications for housing are available at the KPRMC Office or at the National Capital Housing Authority Office.

Initial screening of applications will be conducted by NCHA Tenant Selection Department to determine if the applicant is eligible for dwelling in the conventional program of NCHA. Applicants that are determined to be uneligible will be so notified by NCHA. A waiting list of eligible applicants will be maintained by NCHA, and as vacancies occur at KPRMC, NCHA will refer applicants for tenancy according to their perscribed order of priority and preference.

KPRMC will conduct additional screening before eligibility for occupancy at Kenilworth/Parkside is ascertained. KPRMC will re-verify applications information such as family composition and family income. KPRMC may also conduct a home visit to obtain such additional information as deemed necessary.

KPRMC reserves the right to reasonably determine whether the conduct of an applicant in present or prior housing has been such as would be detrimental to and interfere with other tenants in such a manner as to diminish their enjoyment of the premises, or its surroundings, by adversely affecting their health, saftey, or welfare, or to affect adversely the physical environment or the financial stability of the housing development or program. Relevant information to be considered may include, but is not limited to:

1.) History of recent criminal activity.

2.) Pattern of violent behavior.

3.) Confirmed drug or alcohol addiction - In cases where the applicant is undergoing treatment by a professional [illegible]

the applicant will be considered eligible.

4.) Rape or sexual deviation - exceptions are premitted in the case of an individual who may be considered rehabilitated.

5.) Initiating threats

6.) Prior incidence of abandoment of a public housing unit.

7.) Non-payment of rightful obligations, especially rent, without justification.

8.) Intentionally falsifying information regarding family composition, income, etc.

9.) Record of serious disturbances with neighbors, destruction and/or defacing of property.

10.) Grossly unsanitary or hazardous housekeeping practices.

11.) Persons with contagious or infectious diseases, as certified / by a physician.

In the event of the receipt of unfavorable information with respect to an applicant, consideration will be given to the time, nature, and extent of the applicant's conduct and to factors which might indicate a reasonable probability of favorable future conduct. For example, evidence of the applicant family's participation in, or willingness to participate in social service or other appropriate counselling service programs.

All information in an applicant's file will be held in strict confidence.

Each applicants file will be reveiwed in terms of the following considerations:

1.) Interest in residing in Kenilworth-Parkside

2.) Stability of prior residence

3.) Stability of income

4.) Extenuating Circumstances

Applicants to be admitted to KPRMC will be notified in writing by KPRMC and provided an orientation by the KPRMC Resident Manager, prior to moving in. The orientation will include a discussion of KPRMC programs, rules and regulations, and applicant's interest in participation.

In cases where the applicant is not accepted, the applicant will be notified in writing as to why he/she was not accepted by KPRMC and afforded an opportunity to file a grievance or complaint to contest any part of the decision.

Senate Permanent Subcommittee
on Investigations

EXHIBIT # 12

STATEMENT OF BRENDA STEPHENSON

My name is Brenda Stephenson. I live at 2450 Rockwell, a public housing development in Chicago. I am a single mother of four children -- two girls (16 and three) and two boys (12 and six). Like my friend, Mildred Wortham, I work in Rockwell for the Westside Future Program, taking care of women and children as part of a pilot program dealing with infant mortality.

I am sick and tired of the drug dealers and gang bangers that have taken over my building. I had to send my eldest daughter, a sophomore in high school, to live with my sister in Texas just to keep her away from them.

Cocaine and PCP (happy stick) are openly traded in the hallways and in the doorways of our public housing development, except in the buildings that have been swept. The drug dealers would be too afraid now that the buildings are closed off and there are real security guards. And the police respond better to calls. There is definitely less crime now. It used to be impossible to get the police or even ambulances to come to our building and now it is not.

I want to make it clear that most of the people who live in Rockwell are like me, law-abiding, working and struggling to raise a family. Mildred and I and many other tenants have tried to make things better at Rockwell. For example, we painted one building ourselves to improve our surroundings. But what good does it do to paint a building if the very next day there's no one to keep out the same people who ruined it in the first place?

The main thing that Operation Clean Sweep accomplished is to give hope to people like me and encouragement to work together to keep the drug dealers out. We won't have any trouble getting tenants to help out if they know their work won't be for nothing.

I have two suggestions for your Subcommittee. First, give programs like Westside Future more space. Put one in each public housing development. We provide the attention young mother's need. Second, don't raise the rent so high people don't want to work. The projects should have all kinds of people, not just the poorest of the poor. If the extra money they make just gets eaten up in rent, there won't be any incentive to work and you won't keep a mix of people. The poorest need to have contact with those that are moving up.

Senate Permanent Subcommittee on Investigations

EXHIBIT # 13

CHA-111

CHICAGO HOUSING AUTHORITY

NTER-OFFICE MEMO

TO Robert D. Whitfield

FROM Wilbert U. Allen DATE 5-9-89

SUBJECT Status of Forcible Entry and Detainer Cases Involving Drug-related Criminal Activity

Attached is a copy of a computer-generated Court docket sheet, from which the name of the defendant and docket number have been deleted, for a recent forcible entry & detainer case involving drug-related criminal activity which is currently being handled by the CHA Legal staff. The basis of the action is the seizure of cocaine from the leaseholder's apartment and is typical of "for cause" forcible entry & detainer actions handled by this department. Please note that the criminal conduct occurred on May 4, 1987, the "Notice of Termination of Tenancy" was served on May 5, 1987, and the forcible entry & detainer complaint was filed on June 5, 1987. The defendant made a jury demand and significant discovery activity occurred, including interrogatories and depositions. Subsequently there were amendments to pleadings, motions to assess costs, motions to compel, motion to strike or vacate orders, and motions for summary judgment filed. The jury trial, which commenced on May 8, 1989, will take a minimum of from two (2) to three (3) days and, if the Authority prevails in the action, the period of time after the judgment is entered and actual physical eviction is accomplished will be approximately 60 to 90 days.

To further exacerbate this problem, even after an Order of Possession has been obtained in a given case, the Sheriff's Office limits the amount of resources that it allocates to execute evictions requested by the CHA. In addition, an actual moratorium on evictions is in force during the winter months, generally from December 20 until January 3 (varies from year to year depending on the weather).

Clearly, the Authority is unable to effectuate the rapid eviction of undesirable tenants, even in the case of serious drug-related or violent crime, given the constraints of the current state legal system.

Wilbert U. Allen
First Deputy General Counsel

WUA:bk

[redacted] C H A I VS [redacted] 1

06/05/87 C H A [redacted] $21.00
FORCIBLE ENTRY AND DETAINER COMPLAINT FILED
CHICAGO HOUSING AUTHORITY 22 W MADISON CHICAGO ILL 60602
06/18/87 [redacted]
SUMMONS - RETD P.S. - ROOM 1406
06/26/87 C H A BALANOFF, MIRIAM D
TRANSFER CASE TO ROOM 1303 2:00 06
06/26/87 C H A RUTTENBERG, MARVIN
CASE SET ON TRIAL CALL ROOM 1409 9:30 07
06/26/87 C H A MCCORMICK, CARL
ASSIGN CASE TO ROOM 1409 9:30 06
07/06/87 [redacted]
APPEARANCE FILED - NO FEE PAID - (JURY DEMAND) ROOM 1409 9:30 07
LEGAL ASST WEST 911 S KEDZIE AVE CHICAGO IL 60612
07/09/87 [redacted]
CERTIFICATE OF MAILING FILED [redacted]
07/09/87 [redacted]
INTERROGATORIES FILED
07/09/87 [redacted]
INTERROGATORIES TO BE ANSWERED UNDER OATH FILED
07/09/87 C H A
INTERROGATORIES TO BE ANSWERED UNDER OATH FILED
07/09/87 [redacted]
NOTICE OF FILING FILED
07/09/87 [redacted]
REQUEST FILED
07/13/87 C H A
CERTIFICATE OF MAILING FILED
07/13/87 C H A
NOTICE OF FILING FILED
07/28/87 C H A RUTTENBERG, MARVIN 0194
ORDER ON MOTION STRIKE OR VACATE AN ORDER - ALLOWED ROOM 1409 07
07/28/87 C H A RUTTENBERG, MARVIN 0194
CASE SET ON TRIAL CALL ROOM 1409 9:30 09
09/03/87 C H A RUTTENBERG, MARVIN 0209
ORDER ON MOTION CLOSE DISCOVERY - ALLOWED - ROOM 1409 10
09/03/87 C H A RUTTENBERG, MARVIN
CASE SET ON TRIAL CALL ROOM 1409 9:30 10
09/09/87 C H A
SUBPOENA FOR DEPOSITION - RETD SERVICE BY MAIL -
09/29/87 C H A RUTTENBERG, MARVIN
ORDER ON MOTION STRIKE FROM THE CALL - ALLOWED -
10/28/87 C H A REILLY, FRANCIS J.
ORDER ON MOTION STRIKE FROM THE CALL - ALLOWED -
11/09/87 [redacted] REILLY, FRANCIS J. 0234
ORDER ON MOTION FILE APPEARANCE OR JURY DEMAND, ANSWER OR PLEAD - ALL
11/09/87 C H A REILLY, FRANCIS J. 0235
ORDER ON MOTION FILE APPEARANCE OR JURY DEMAND, ANSWER OR PLEAD - ALL
11/09/87 [redacted] REILLY, FRANCIS J.
ORDER ON MOTION DISMISS ENTIRE CAUSE - DEFENDANT - C ROOM 1409 2:00 12
12/18/87 C H A RUTTENBERG, MARVIN 024
ORDER ON MOTION FILE APPEARANCE OR JURY DEMAND, ANSWER OR PLEAD - ALL
12/18/87 [redacted] RUTTENBERG, MARVIN 024
ORDER ON MOTION FILE APPEARANCE OR JURY DEMAND, ANSWER OR PLEAD - ALL
12/18/87 [redacted] RUTTENBERG, MARVIN
ORDER ON MOTION DISMISS ENTIRE CAUSE - DEFENDANT - C ROOM 1409 2:00
01/19/88 C H A
CERTIFICATE OF MAILING FILED
CHICAGO HOUSING AUTHORITY
01/19/88 C H A

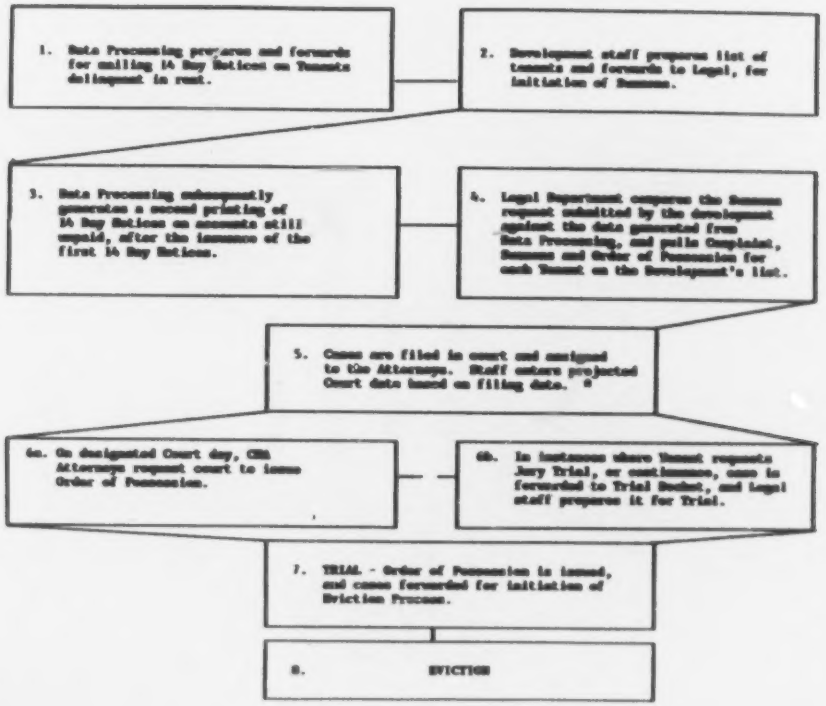
[illegible] HOUSING AUTHORITY
[illegible] C H A
ANSWER TO MOTION FILED
CHICAGO HOUSING AUTHORITY
01/19/88 C H A
NOTICE OF FILING FILED
CHICAGO HOUSING AUTHORITY
02/04/88 C H A RUTTENBERG, MARVIN
CASE SET ON STATUS CALL ROOM 1409 2:00
02/11/88 [redacted] RUTTENBERG, MARVIN
ORDER ON MOTION DISMISS ENTIRE CAUSE - DEFENDANT - C ROOM 1409 2:00
02/08/88 [redacted] REILLY, FRANCIS J.
ORDER ON MOTION DISMISS ENTIRE CAUSE - DEFENDANT - C ROOM 1409 2:00
02/14/88 C H A RUTTENBERG, MARVIN
ORDER ON MOTION FILE DEPOSITION - ALLOWED - ROOM 1409
02/14/88 C H A RUTTENBERG, MARVIN
ORDER ON MOTION CLOSE DISCOVERY - ALLOWED - ROOM 1409
02/14/88 C H A RUTTENBERG, MARVIN
CASE SET ON STATUS CALL ROOM 1409 2:00
02/14/88 [redacted] RUTTENBERG, MARVIN
ORDER ON MOTION DISMISS ENTIRE CAUSE - DEFENDANT - DENIED -
03/30/88 C H A
CERTIFICATE OF MAILING FILED
CHICAGO HOUSING AUTHORITY
03/30/88 C H A
EXHIBITS FILED
CHICAGO HOUSING AUTHORITY
03/30/88 C H A
ANSWER TO SUPPLEMENTAL INTERROGATORIES FILED
CHICAGO HOUSING AUTHORITY
03/30/88 C H A
NOTICE OF FILING FILED
CHICAGO HOUSING AUTHORITY
04/11/88 [redacted]
SUBPOENA FOR DEPOSITION - RETD P.S. -
LEGAL ASST WEST
04/11/88 [redacted]
CERTIFICATE OF MAILING FILED
LEGAL ASST WEST
04/11/88 [redacted]
EXHIBITS FILED
LEGAL ASST WEST
04/11/88 [redacted]
NOTICE OF DEPOSITION FILED
LEGAL ASST WEST
04/12/88 [redacted]
SUBPOENA FOR DEPOSITION - RETD P.S. -
LEGAL ASST WEST
04/12/88 [redacted]
EXHIBITS FILED
LEGAL ASST WEST
04/12/88 [redacted] RUTTENBERG, MARVIN
ORDER ON MOTION COMPLY - ALLOWED -
05/24/88 C H A
ANSWER TO INTERROGATORIES FILED
CHICAGO HOUSING AUTHORITY
05/24/88 C H A
NOTICE OF FILING FILED
CHICAGO HOUSING AUTHORITY
05/24/88 C H A
PROOF OF SERVICE FILED
CHICAGO HOUSING AUTHORITY

[redacted] MOTION CONTINUANCE - ALLOWED - ROOM [redacted]
[redacted] C H A RUTTENBERG, MARVIN
ORDER ON MOTION FILE AMENDMENT OR ADDITIONAL OR AMENDED PLEADINGS - A
[redacted] C H A RUTTENBERG, MARVIN
ORDER ON MOTION FILE APPEARANCE OR JURY DEMAND, ANSWER OR PLEAD - ALL
[redacted]/88 C H A RUTTENBERG, MARVIN
ORDER ON MOTION FILE AMENDMENT OR ADDITIONAL OR AMENDED PLEADINGS - A
[redacted]/89 [redacted] RUTTENBERG, MARVIN
ORDER ON MOTION ASSESS COSTS - ALLOWED -
[redacted]/88 C H A
MOTION SPINDLED ROOM 1409 2:00
CHICAGO HOUSING AUTHORITY
[redacted]/88 C H A RUTTENBERG, MARVIN
ORDER ON MOTION COMPLY - ALLOWED -
[redacted]/88 C H A RUTTENBERG, MARVIN
ORDER ON MOTION STRIKE OR VACATE AN ORDER - ALLOWED ROOM 1409
[redacted]/88 [redacted] RUTTENBERG, MARVIN
ORDER ON MOTION FILE AMENDMENT OR ADDITIONAL OR AMENDED PLEADINGS - A
08/10/88 C H A RUTTENBERG, MARVIN
ORDER ON MOTION FILE APPEARANCE OR JURY DEMAND, ANSWER OR PLEAD - ALL
08/10/88 [redacted] RUTTENBERG, MARVIN
ORDER ON MOTION FILE APPEARANCE OR JURY DEMAND, ANSWER OR PLEAD - ALL
08/10/88 C H A RUTTENBERG, MARVIN
ORDER ON MOTION SUMMARY JUDGMENT - CONTINUED - ROOM 1409 2:00
08/10/88 C H A RUTTENBERG, MARVIN
ORDER FOR POSSESSION
09/08/88 [redacted]
AFFIDAVIT FILED
[redacted]
09/08/88 [redacted]
CERTIFICATE FILED
LEGAL ASST WEST
09/08/88 [redacted]
EXHIBITS FILED
[redacted]
09/08/88 [redacted]
ANSWER TO SUPPLEMENTAL INTERROGATORIES FILED
LEGAL ASST WEST
09/08/88 [redacted]
MEMORANDUM IN SUPPORT OF MOTION FILED
LEGAL ASST WEST
09/08/88 [redacted]
NOTICE OF FILING FILED
LEGAL ASST WEST
09/08/88 [redacted]
MOTION FILED
LEGAL ASST WEST
09/08/88 [redacted]
MOTION FILED
[redacted]
10/19/88 C H A RUTTENBERG, MARVIN
ORDER ON MOTION FILE APPEARANCE OR JURY DEMAND, ANSW ROOM 1409 ALL
10/19/88 [redacted] RUTTENBERG, MARVIN
ORDER ON MOTION FILE APPEARANCE OR JURY DEMAND, ANSW ROOM 1409 ALL
10/19/88 C H A RUTTENBERG, MARVIN
ORDER ON MOTION SUMMARY JUDGMENT - CONTINUED - ROOM 1409 2:00
11/03/88 C H A
CERTIFICATE OF MAILING FILED
CHICAGO HOUSING AUTHORITY
11/03/88 C H A
EXHIBITS FILED
CHICAGO HOUSING AUTHORITY

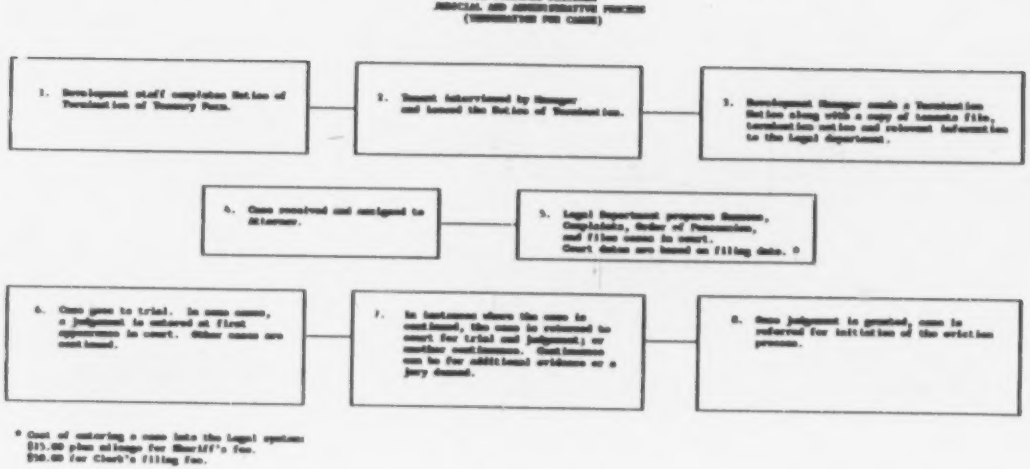
[illegible] FILED
CHICAGO HOUSING AUTHORITY
11/02/88 C H A
ANSWER TO MOTION FILED
CHICAGO HOUSING AUTHORITY
11/03/88 C H A
MEMORANDUM OF LAW FILED
CHICAGO HOUSING AUTHORITY
11/03/88 C H A
NOTICE OF DEPOSITION FILED
CHICAGO HOUSING AUTHORITY
11/03/88 C H A
NOTICE OF FILING FILED
CHICAGO HOUSING AUTHORITY
11/07/88 C H A
CERTIFICATE OF MAILING FILED
CHICAGO HOUSING AUTHORITY
11/07/88 C H A
EXHIBITS FILED
CHICAGO HOUSING AUTHORITY
11/07/88 C H A
DEPOSITION FILED
CHICAGO HOUSING AUTHORITY
11/07/88 C H A
NOTICE OF FILING FILED
CHICAGO HOUSING AUTHORITY
11/22/88 [redacted]
CERTIFICATE OF MAILING FILED
LEGAL ASST GENERAL OFFICE
11/22/88 [redacted]
EXHIBITS FILED
LEGAL ASST GENERAL OFFICE
11/22/88 [redacted]
ANSWER TO MOTION FILED
LEGAL ASST GENERAL OFFICE
11/22/88 [redacted]
NOTICE OF FILING FILED
LEGAL ASST GENERAL OFFICE
11/29/88 C H A RUTTENBERG, MARVIN 03[illegible]
CASE SET ON STATUS CALL ROOM 1409 2:00 01/[illegible]
11/29/88 [redacted] RUTTENBERG, MARVIN 03[illegible]
ORDER ON MOTION SUMMARY JUDGMENT - DENIED -

FILED
CHICAGO HOUSING AUTHORITY
11/02/88 C H A
ANSWER TO MOTION FILED
CHICAGO HOUSING AUTHORITY
11/03/88 C H A
MEMORANDUM OF LAW FILED
CHICAGO HOUSING AUTHORITY
11/03/88 C H A
NOTICE OF DEPOSITION FILED
CHICAGO HOUSING AUTHORITY
11/03/88 C H A
NOTICE OF FILING FILED
CHICAGO HOUSING AUTHORITY
11/07/88 C H A
CERTIFICATE OF MAILING FILED
CHICAGO HOUSING AUTHORITY
11/07/88 C H A
EXHIBITS FILED
CHICAGO HOUSING AUTHORITY
11/07/88 C H A
DEPOSITION FILED
CHICAGO HOUSING AUTHORITY
11/07/88 C H A
NOTICE OF FILING FILED
CHICAGO HOUSING AUTHORITY
11/22/88 [redacted]
CERTIFICATE OF MAILING FILED
LEGAL ASST GENERAL OFFICE
11/22/88 [redacted]
EXHIBITS FILED
LEGAL ASST GENERAL OFFICE
11/22/88 [redacted]
ANSWER TO MOTION FILED
LEGAL ASST GENERAL OFFICE
11/22/88 [redacted]
NOTICE OF FILING FILED
LEGAL ASST GENERAL OFFICE
11/29/88 C H A RUTTENBERG, MARVIN
CASE SET ON STATUS CALL ROOM 1409 2:00 01/03
11/29/88 [redacted] RUTTENBERG, MARVIN
ORDER ON MOTION SUMMARY JUDGMENT - DENIED -
TRIAL COMMENCED 5/8/89

CRA FORCIBLE DETAINER
JUDICIAL AND ADMINISTRATIVE PROCESS
(RENT CASES)

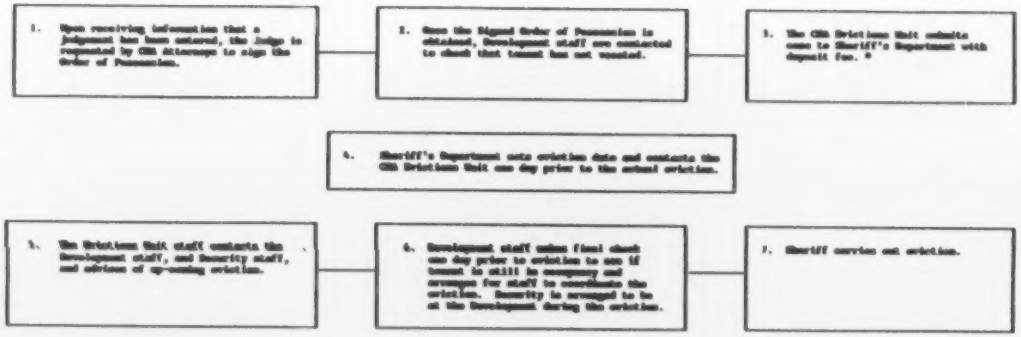

1. Data Processing prepares and forwards for mailing 14 Day Notices on Tenants delinquent in rent.
2. Development staff prepares list of tenants and forwards to Legal, for initiation of Summons.
3. Data Processing subsequently generates a second printing of 14 Day Notices on accounts still unpaid, after the issuance of the first 14 Day Notices.
4. Legal Department compares the Summons request submitted by the development against the data generated from Data Processing, and pulls Complaint, Summons and Order of Possession for each Tenant on the Development's list.
5. Cases are filed in court and assigned to the Attorneys. Staff enters projected Court date based on filing date. *
6a. On designated Court day, CRA Attorneys request court to issue Order of Possession.
6b. In instances where Tenant requests Jury Trial, or continuance, case is forwarded to Trial Docket, and Legal staff prepares it for Trial.
7. TRIAL - Order of Possession is issued, and cases forwarded for initiation of Eviction Process.
8. EVICTION

Cost of entering a case into the Legal system:
$15.00 plus mileage for Sheriff's fee.
$50.00 " Clerk's filing fee.


1. Development staff completes Notice of Termination of Tenancy Form.
2. Tenant interviewed by Manager and issued the Notice of Termination.
3. Development Manager sends a Termination Notice along with a copy of Lessees File, Termination notice and relevant information to the Legal department.
4. Case received and assigned to Attorney.
5. Legal Department prepares Summons, Complaints, Order of Possession, and files cases in court. Court dates are based on filing date. *
6. Case goes to trial. In some cases, a judgement is entered at first appearance in court. Other cases are continued.
7. In instances where the case is continued, the case is returned to court for trial and judgement or another continuance. Continuances can be for additional evidence or a jury demand.
8. Once judgement is granted, cases is referred for initiation of the eviction process.

* Cost of entering a case into the Legal system: $15.00 plus mileage for Sheriff's fee. $50.00 for Clerk's filing fee.

CHA EVICTION PROCESS


1. Upon receiving information that a judgement has been entered, the Judge is requested by CHA Attorneys to sign the Order of Possession.
2. Once the Signed Order of Possession is obtained, Development staff are contacted to check that tenant has not vacated.
3. The CHA Eviction Unit submits case to Sheriff's Department with deposit fee. *
4. Sheriff's Department sets eviction date and contacts the CHA Eviction Unit one day prior to the actual eviction.
5. The Eviction Unit staff contacts the Development staff, and Security staff, and advises of up-coming eviction.
6. Development staff makes final check one day prior to eviction to see if tenant is still in occupancy and arranges for staff to coordinate the eviction. Security is arranged to be at the Development during the eviction.
7. Sheriff carries out eviction.

* Cost of submitting case for eviction:
$ 16.00 Sheriff's fee.
$240.00 Deposit fee.

Senate Permanent Subcommittee on Investigations
EXHIBIT # 14

IMPORTANT NOTICE TO CHA RESIDENTS CONCERNING NEW CHARGES FOR LEASE VIOLATIONS

Please be advised that effective July 1, 1989, the following charges will be assessed against leaseholders if he or she, members of their households, or guests, commits any of the following acts on CHA property:

	Lease Violation	Charge	Billing Code
1.	Littering.	$10.00	LI
2.	Walking on the grass.	$10.00	GR
3.	Destruction or defacing CHA property (plus the cost of actual replacement or repair of property).	$25.00	DF
4.	Urination or defecation in common areas by persons or their pets.	$25.00	UR
5.	Improper use of elevators.	$50.00	EL
6.	Throwing objects from windows or galleries	$25.00	OB
7.	Improper disposal of garbage or refuse.	$25.00	GD
8.	Unauthorized parking or driving in fire lanes, on sidewalks, playgrounds, grass or any other areas not clearly designated for parking.	$50.00	PK
9.	Assaulting CHA residents, employees or visitors.	$50.00	AS
10.	Threatening or harassing CHA residents, employees or visitors.	$25.00	HA
11.	Performing major auto repairs in CHA parking areas or performing auto repairs for fees.	$125.00	AU
12.	Starting fires on CHA property.	$50.00	FI

Please note that lease violations that result in serious injury to leaseholders, members of their household, their guest, or CHA personnel will result in eviction procedures being initiated against the leaseholder directly or indirectly responsible.

Failure to pay the above charges in a timely manner may result in Lease termination.

Pursuant to the provisions of the CHA Dwelling Lease and applicable HUD regulations, CHA residents may submit written comments or objections to the above new charges to their respective Management offices not later than May 1, 1989.

Senate Permanent Subcommittee on Investigations

EXHIBIT # 15

Smoke Detectors
Yes ____ No ____

Acct. No. ____
Date 4-13-67
1st Follow Up ____
2nd Follow Up ____

CHICAGO HOUSING AUTHORITY

EMERGENCY HOUSING INSPECTION

NAME _____ ADDRESS _____ APT. NO. ____

		OK	DESCRIBE REPAIRS NEEDED
KITCHEN	REFRIGERATOR - (CHA) (OWN)		
	GAS RANGE		
	CABINETS, SINK TOP		
	SINK - FAUCETS, DRAIN		
	WINDOWS - GLASS, HARDWARE		
	SHADES & BRACKETS		
	SCREEN & CLIPS		
	DOORS & HARDWARE		
	CURTAIN RODS & BRACKETS		
	FLOOR TILE		
	RADIATORS		
	WALLS & CEILINGS		
	LIGHT FIXTURES, GLOBES		
	OUTLETS, SWITCHES		
	UTILITY ROOM		
	OVERALL APPEARANCE - THIS AREA		
LIVING ROOM	WINDOWS - GLASS, HARDWARE		
	SHADES & BRACKETS		
	SCREENS & CLIPS		
	DOORS & HARDWARE		
	CURTAIN RODS & BRACKETS		
	RADIATORS		
	STORM DOOR		
	ENTRANCE DOOR		
	FLOOR TILE		
	WALLS & CEILINGS		
	LIGHT FIXTURES, GLOBES		
	OUTLETS, SWITCHES		
HALL	CRASH CHAINS		
	DOOR CHECK		
	CLOSETS - DOOR, POLES, SHELF		
	OVERALL APPEARANCE - THIS AREA		
BATHROOM	WINDOWS - GLASS, HARDWARE		
	FACE BOWL - FAUCETS, DRAIN		
	BATHTUB, SHOWER, FAUCETS, DRAINS		
	TOILET, SEAT, FLUSH VALVE		
	RADIATORS		
	FLOOR TILE		
	MEDICINE CABINET		
	TOWEL RACKS		
	TISSUE HOLDER		
	DOOR & HARDWARE		
	WALLS & CEILINGS		
	LIGHT FIXTURES, GLOBES		
	OVERALL APPEARANCE - THIS AREA		
BEDROOM	WINDOWS - GLASS & HARDWARE		
	SHADES & BRACKETS		
	SCREENS & CLIPS		
	DOORS & HARDWARE		
	RODS & BRACKETS		
	RADIATORS		
	FLOOR TILE		
	WALLS & CEILINGS		
	LIGHT FIXTURES, GLOBES		
	OUTLETS, SWITCHES		
	CLOSETS - POLES, SHELF		
	OVERALL APPEARANCE - THIS AREA		

HOUSEKEEPING (Circle) O G F U (Explain "F" & "U" Rating - Schedule Follow Up)

FIRE HAZARDS _____ WASH. MACH. _____ PET _____ YARD LITTERED _____
HEAT _____ DRYER _____ LAWNS _____ WINDOWS, CURTAINS _____

☐ CHECK HERE IF UNAUTHORIZED RESIDENTS ARE PRESENT. LIST ON REVERSE SIDE.

Inspected By _____ Witnessed By _____

Unauthorized residents present: _____

_____

_____

_____

_____

_____

Additional comments:

_____

_____

_____

Senate Permanent Subcommittee on Investigations

EXHIBIT # 22

NEW YORK CITY HOUSING POLICE DEPARTMENT DATE: _____

SUSPECTED DRUG - CRIMINAL ACTIVITY TIME: _____

NOTE: We do not need your name. We only ask for specific information which will assist us in addressing illicit narcotics or other criminal activity in your building or neighborhood. Remember - together we can make a difference.

DRUGS: ( ) Cocaine ( ) Crack ( ) Heroin
( ) Marijuana ( ) Pills ( ) Other _____

Date(s) _____

Day(s) _____ _____ Time _____

Location _____ _____ _____
Project Address Apt.(s)

SPECIFIC AREA: ( ) Hallway ( ) Lobby ( ) Stairwell _____ Floor(s)
( ) Roof Landing ( ) Roof ( ) Other _____ Indicate

SUSPECT VEHICLE: _____ _____ _____ _____
Lic. Plate # Year Make Color

PHYSICAL APPEARANCE OF SUSPECT: ( ) Male ( ) Female
( ) Black ( ) White ( ) Other _____

Complexion _____	Weight _____	Shoes _____
Hair _____	Build _____	Sneakers _____
Mustache _____	Hat/Cap _____	Blouse _____
Beard _____	Shirt _____	Skirt _____
Scar _____	Pants _____	Dress _____
Glasses _____	Jacket _____	
Height _____	Sweater _____	

NAME OF SUSPECT: _____ Alias/Nickname _____

ADDRESS (IF KNOWN) _____

PLACE(S) FREQUENTED _____

ADDITIONAL INFORMATION ON SUSPECT: Weapons Involved/Carried ( ) Yes ( ) No
Lookouts Involved ( ) Yes ( ) No
Children Involved ( ) Yes ( ) No

DETAILS (FOR ANY "YES" CHECKED): _____

_____

_____

REMARKS: Do you have any information on wanted people or serious crimes which have yet to be solved _____

_____

_____

WHEN COMPLETED MAIL TO YOUR LOCAL P.S.A. AS FOLLOWS:

NEW YORK CITY HOUSING AUTHORITY
DRUG TASK FORCE
250 BROADWAY ROOM 902
NEW YORK, NEW YORK 10007

DEPARTAMENTO DE POLICIA DE VIVIENDA DE LA CIUDAD DE NUEVA YORK

SOSPECHA DE ACTIVIDADES CRIMINALES Y DE DROGAS

NOTA: No necesitamos su nombre. Solamente pedimos información específica que nos ayudara resolver actividades ilicitas en su edificio o vencindario relacionadas con narcóticos o crimenes. Recuerdejuntos, podemos hacer una diferencia.

DROGAS: ( ) Cocaine ( ) Crack ( ) Heroin
( ) Marijuana ( ) Pastillas ( ) Otra

Fecha(s)_____

Día(s) _____ Tiempo_____

Localidad _____
Proyecto Dirección Apartamento(s)

AREA ESPECÍFICA: ( ) Pasillo ( ) Vestibulo ( ) Escalera _____
Piso(s)
( ) Descanso de la Azotea ( ) Azotea ( ) Otro_____
Indique

VEHICULO SOSPECHADO: _____
Tablilla Año Tipo de Carro Color

APARIENCIA DE SOSPECHOSO: ( ) Hombre ( ) Mujer
( ) Negro ( ) Blanco ( ) Otro

Carácter_____ Peso_____ Zapatos_____
Pelo_____ Talle_____ Tenis_____
Bigote_____ Sombrero/Gorra_____ Blusa_____
Barba_____ Camisa_____ Falda_____
Cicatriz_____ Pantalones_____ Vestido_____
Lentes_____ Chaqueta _____
Altura_____ Suéter_____

NOMBRE DE SOSPECHOSO: _____ **APODO** _____

DIRECCION: _____

LUGARES QUE FRECUENTA: _____

INFORMACIÓN ADICIONAL SOBRE SOSPECHOSO: Armas Envueltas/Cargadas ( ) Si ( ) No
Vigiliantes Envueltos ( ) Si ( ) No
Niños Envueltos ( ) Si ( ) No

Detalles (Para "Si" marcados arriba)_____

_____

_____

COMENTARIOS: ¿Sabe usted información sobre personas buscadas por la ley o sobre crimenes serios que no han sido resueltos?_____

_____

_____

****

Cuando este completado, envie a su
Oficina de P.S.A. local:

Senate Permanent Subcommittee on Investigations
EXHIBIT # 23

NEW YORK CITY HOUSING AUTHORITY

250 BROADWAY • NEW YORK, N.Y. 10007

EMANUEL P. POPOLIZIO
Chairman
JACQUELINE McMICKENS
Member
JOHN CINQUE-SACARELLO
Member

JOSEPH SHULDINER
General Manager
NORMAN PARNASS
Secretary

THE NEW YORK CITY HOUSING AUTHORITY'S FEDERAL FORFEITURE PROJECT

Manuel H. Quintana
General Counsel

Brenda S. Spears
Deputy General Counsel

Susan Silverstein
Executive Assistant to
General Counsel

FEDERAL FORFEITURE IN PUBLIC HOUSING

On April 27, 1988, in a joint federal-local law enforcement operation, the leases of two apartments owned by the New York City Housing Authority ("NYCHA") were seized pursuant to the federal seizure and forfeiture statutes (21 U.S.C.§§853 and 881 (a)(7). The federal seizure warrants were based on an evidentiary showing that the apartments were being used to facilitate the distribution of illegal drugs. The tenant occupant of each apartment was arrested on charges of violating the federal narcotics laws.

The April 27, 1988 seizures were the culmination of an eighteen month effort by NYCHA, with the cooperation of federal and local enforcement agencies, to identify and implement a plan for quickly and permanently removing drug dealers from public housing in a manner that would avoid exposing residents to the risk of reprisal. This use of the federal statutes marked the first time a leasehold interest in realty was seized, and this effort received extensive coverage in the news media; copies of selected newspaper articles are attached as exhibits.

FACTUAL BACKGROUND

ANALYSIS OF THE FEDERAL FORFEITURE STATUES

In September 1986, NYCHA's Chairman, Emanuel P. Popolizio, together with NYCHA's General Manager, Joseph Shuldiner, created an Authority-wide Anti-Narcotics Task Force to address

all aspects of the drug problem confronting NYCHA. This Task Force was composed of four committees: the Education and Outreach Committee; the Employees Remedies Committee; the Law Enforcement Action Committee; and The Tenants Remedies Action Committee ("TRAC"). TRAC, chaired by NYCHA General Counsel Manuel H. Quintana, conceived of and advocated using the federal forfeiture statutes against the leasehold interests of public housing residents whose apartments are used to traffic illegal drugs.

The federal forfeiture statues authorize the seizure of property used to facilitate narcotics trafficking on both civil and criminal proceedings.

Section 881(a)(7), governing civil forfeiture, provides that:

> The following shall be subject to forefeiture to the United States and no property right shall exist in them: (7) All real property, including any right, title, and interest in the whole of any lot or tract of land and any appurtenances or improvements, which is used, or intended to be used, in any manner or part, to commit, or to facilitate the commission of, a violation of this title punishable by more than one year's imprisonment, except that no property shall be forfeited under this paragraph, to the extent of an interest of an owner, by reason of any act or omission established by that owner to have been committed or omitted without the knowledge or consent of that owner.

Under Section 881, a civil forfeiture proceeding is commenced by bringing a civil action against the property. Any person claiming an interest in the property has the right to challenge the validity of the seizure.

Section 853, on the other hand, provides for the forfeiture of property used in any manner to commit or facilitate the commission of a violation of the federal narcotics law and is invoked in conjunction with a criminal proceeding. Section 853 provides:

> Any person convicted of a violation of this subchapter or subchapter II of this chapter punishable by imprisonment for more than one year shall forfeit to the United States, irrespective of any provision of State law:
>
> (a) any of the person's property used, or intended to be used, in any manner or part, to commit, or to facilitate the commission of, such violation:
>
> (b) Meaning of term "property"
>
> Property subject to criminal forfeiture under this section includes-
>
> (1) real property, including things growing on, affixed to, and found in land; and
>
> (2) tangible and intangible person property, including rights, privileges, interests, claims, and securities. 21 U.S.C.§881(a)(7).

NYCHA determined that in an appropriate case, the federal forfeiture statutes would permit the removal of tenants and residents more quickly than the often cumbersome administrative procedures which bind NYCHA. These procedures, promulgated pursuant to a consent decree entered in Escalera, et al. v. New York City Housing Authority, 425 F.2d 853, cert. denied, 400 U.S.853 (1970), on remand, 67 Civ. 4307 (S.D.N.Y., March 25, 1971) (Mansfield, J.), require NYCHA to take the following steps in order to obtain a warrant of eviction against a non-desirable tenant, including a tenant involved in narcotics trafficking:

1. The project manager must interview the tenant;

2. In the event remedial action by the manager fails, or if the manager believes that termination of the tenancy is appropriate, the manager must then refer the file to NYCHA's Division of Resident Review and Counseling. ("DRRC");

3. DRRC reviews the file. If it is determined that cause for termination exists, DRRC will refer the matter to the Law Department.

4. The Law Department then prepares a "Notice of Charges" specifying the specific grounds for termination. This Notice is sent to the tenant;

5. NYCHA conducts an administrative hearing before an impartial Hearing Officer. Cross-examination is permitted and the tenant is able to examine items in the tenant's folder relating to the charges;

6. The Hearing Officer then prepares a written decision which may be confirmed by the Members of the NYCHA. A decision by the Hearing Officer or a determination by NYCHA members in favor of NYCHA is binding on NYCHA.

7. After the determination is served on the tenant, the file is returned to the project manager, and the project manger commences a holdover proceeding against tenant in Housing Court.

8. Meritless appeals of the administrative decision to terminate the lease are often the basis of stays in the hold over proceedings.

9. Those stays have delayed eviction as much as two years.

NYCHA was convinced that the use of the federal forfeiture statutes could result in more expeditious evictions of drug dealers who use their apartments to facilitate their illegal activities.

The Chairman obtained the support of the Mayor of the City of New York and the Police Commissioner for this approach.

In February 1988, NYCHA's Chairman and NYCHA staff met with Rudolph P. Guiliani, the United States Attorney for the Southern District of New York, and his staff to discuss how the federal forfeiture statutes should be invoked to seize the public housing leasehold interests.

Initially, the United States Attorney's Office was concerned that leasehold interests were not property under the forfeiture statues. NYCHA's Law Department researched this issue and concluded that while the federal statutes did not specifically list a leasehold as the type of real property which could be seized, such an interest was not excluded. In

addition it was determined that the New York State courts have long held that leases are estates or interests in real property. Moreover, NYCHA maintained that the forfeiture statute evidenced Congress' intent to deprive drug dealers of the fruits of their illegal acts. As the district court noted in United States v. 124 East North Avenue, Lake Forest, Ill., 651 F.Supp. 1350, 1354 (N.D.Ill. 1987), one of the few decisions which have examined this statute:

> Section 881 (a)(7) subjects to forefeiture all rights or interest in real estate used to facilitate the commission of a federal narcotics violation. The inclusion of such language shows a clear and unmistakeable intent on the part of Congress to reach all types of property interests in real estate used to violate the provisions of Title 21.

The United States Attorney eventually agreed to invoke the forfeiture statute would be used in the conjunction with a federal criminal proceeding.

IMPLEMENTATION OF THE FORFEITURE STATUE

Once it was agreed how the forfeiture cases would be handled by the United States Attorney's Office, the TRAC Forefeiture Subcommittee (composed of the General Counsel, Deputy General Counsel Brenda S. Spears, TRAC Vice Chairwoman Susan Silverstein and NYCHA Housing Police Lieutenant Ronald Welsh) analyzed information supplied in confidence by NYCHA residents and project management staff. NYCHA's police force investigated these leads and other information. The New York City Police, assisted by the Housing Authority Police, conducted undercover investigations.

The TRAC Forfeiture Subcommittee then presented several cases to the United States Attorney' office. After analyzing the various cases, the United States Attorney selected two locations where, based on the information available, it appeared likely that a federal search and seizure warrant could be obtained. The seizure warrants were signed by a United States Magistrate on April 26, 1988 pursuant to 21 U.S.C.§881 (a)(7).

On April 27, 1988, this collaborative effort came to fruition when, in a joint federal local operation, the leases and right to occupancy of 2 apartments owned by NYCHA were seized. One apartment was in Mariana Bracetti Plaza in Manhattan, and the other was in the Mott Haven Houses in the Bronx. The federal seizure warrants, executed by the United States Marshals Service, alleged that each premise was being used to facilitate the distribution of illegal drugs: heroin in the case of Apartment 2-C, 290 East 4th Street (Bracetti Houses) and cocaine in the case of Apartment 18-F, 383-385 East 143rd Street (Mott Haven Houses). The tenant of each apartment was arrested on charges of violating the federal narcotics laws and each apartment was searched pursuant to a warrant for evidence of narcotics-trafficking.

Shortly after the tenants' arrests, civil proceedings seeking the forfeiture for the leaseholds was commenced by the filing of complaints and the issuance of warrants of arrest of the property. The premises were also subject to criminal forfeiture under 21 U.S.C.§853.

The forfeiture of the former tenant's interests in the Bracetti Houses apartment became final in May 1988; in the case of the Mott Haven Houses apartment, the fortfeiture was final in June 1988. Neither party has ever returned to their former residences. Thus, the entire forfeiture process--from the date the seizure warrants were issued until the interest in the final apartment was extinguished - - took approximately 65 days. NYCHA is now readying these apartments for new tenants.

The impact of these forfeitures on NYCHA's tenants cannot be underestimated. The seizure of the two apartment leases and the arrest of the tenants removed from these developments drug traffickers whose operations had threatened both residents and project management for several months. It removed the threat quickly, permanently and without exposing the other residents to retaliation for cooperating in the process by serving as witnesses. Equally important, these seizures bolstered tenant moral. It demonstrated that their observations could be used confidentially and effectively and that NYCHA could do something about their complaints. It gave the residents hope in the war for drug free public housing.

NYCHA views the Federal Seizure and Forfeiture Law program as an important tool for all landlords in the war against drugs because the statute enables the government to target and seize the assets of the drug traffickers. The success of the program has helped foster cooperation between the United States Attorney, the Housing and City police departments the residents and NYCHA. The Forfeiture Law project has shown the local community that NYCHA, City government and federal prosecutors have the means and the will to fight the drug problem firmly and effectively.

Senate Permanent Subcommittee
on Investigations

EXHIBIT # 30

NAHRO National Association of Housing and Redevelopment Officials
1320 Eighteenth Street, Northwest, Washington, D.C. 20036-1803 (202) 429-2960
Fax (202) 429-9684

May 18, 1989

The Honorable William V. Roth, Jr.
Ranking Minority Member
United States Senate
Permanent Subcommittee on Investigations
193 Russell Senate Office Building
Washington, D.C. 20510

Dear Senator Roth:

The National Association of Housing and Redevelopment Officials is a 55-year-old professional membership organizaton of housing and community development officials throughout the United States who administer HUD programs at the local level. Its membership, numbering 8,500 has long participated in the creation and fine-tuning of national housing policy and programs. We represent the 3000 local public housing authorities across our nation.

We were interested in the May 10 hearing held under the auspices of the Subcommittee on Investigations on the issue of drugs and public housing.

While NAHRO has been in the forefront of addressing this national epidemic, we continue to emphasize to Congress and the media that our nation's drug problem is much larger than the confines of public housing and its roots know no neighborhood, city, state, or international boundaries.

We ask that this letter be included in the May 10 hearing record.

Several years ago, NAHRO developed a National Drug Task Force to foster greater understanding of the problems and solutions to those aspects of the national drug problem pertinent to the public housing community. The task force has undertaken several initiatives including the development of a report which outlines some of the issues and provides recommendations for solutions.

A number of the Task Force recommendations were addressed in the Omnibus Drug Act. However, several others deserve further consideration by the Congress as we all seek ways to rid our society of the scourge of drugs.

Helen L. Sause, President. Apolonio Flores, Senior Vice President. Michael A. Garcia, Jr., Vice President-Commissioners. William H. Garrett, Vice President-Community Revitalization and Development. Jack Quinn, Vice President-Housing. Michael F. Hanratty, Vice President-Member Services. Ophelia B. Bangal, Vice President-Professional Development. Richard Y. Nelson, Jr., Executive Director

We ask you to review this report and, if you feel you can take legislative action to implement parts of it, we would be happy to discuss our findings with you in more detail.

We urge you to take immediate steps to fund many of the provisions of the Omnibus Drug Law. The provisions which could help reduce drug-related activity in and near public housing property include:

1) An FY '89 supplemental appropriation for HUD of $8.2 million and $50 M in FY '90 for the Public Housing Drug Elimination Pilot Program to beef up both physical security and a security presence within public housing communities. (Sec. 5121 of the Omnibus Drug Act)

2) a $34 million HHS supplemental and $34 in FY '90 M for a drug treatment demonstration of target populations including adolescents, minorities, pregnant women, female addicts and their children, and residents of public housing. (Sec. 2055)

3) Appropriate $40 million in FY '90 for the DOJ block grant to research the illegal manufacture and sale of drugs in, among other places, public housing. (Sec. 5104)

Our members are in the trenches every day waging war on drugs, but they need your help. We have hands-on experience with many of the issues related to drugs which confront us on the nightly news. Our members are available to share that experience with you and your staff as we all seek to come to grips with this issue.

The public housing stock nation-wide totals 1.4 million housing units serving 4 million Americans. Deferred maintenance because of limited federal support has resulted in a significant backlog of major repair and replacement needs causing more and more apartments to fall vacant and subject to vandalism, presenting locations for drug use, manufacturing, dealing, and other crimes to occur. Today, 70,000 public housing units stand vacant.

Our position paper on Revitalizing the Public Housing Stock is enclosed. It recommends a funding start of $3.5 billion on the $21 billion documented backlog of public housing modernization needs.

This is but one aspect of the conditions which invite criminal activity. The vast majority of public housing residents are law-abiding Americans struggling to raise families, ensure their children's education, and secure job skills. They, more than perhaps anyone else, want to rid their neighborhoods and apartment buildings of drugs. And public housing authority officials are working with them to ensure that happens.

NAHRO has also worked with HUD in several areas including the cosponsorship of a national drug conference and a series of regional conferences. We are currently working with HUD on the development of a resource guide for public housing authorities on steps to reduce drug activity on public housing property and the development of comprehensive strategies to achieve drug-free public housing by working with federal staff, local police, tenants, treatment providers, and other community-based resources.

An effective tool for ensuring drug-free public housing is a workable lease and grievance system which enforces the rights and responsibilities of both the PHA and residents. Public housing lease and grievance regulations have been under revision and public comment by HUD since the 1983 Housing Act. Final rules issued last August were enjoined by a federal court and all affected parties are now seeking to resolve their differences outside of the courtroom so that we might proceed with this basic tool of good housing management.

The Omnibus Drug Law (Sec. 5101) specifically stated that residents of public housing engaging in criminal activity, including drug-related activity, on or near public housing property shall be subject to eviction. We, as well as law-abiding residents of public housing, want to enforce that law and restore peace and security to public housing properties destablizied by drug activity. Issuance by HUD and implementation of public housing lease and grievance regulations are essential to that enforcement effort.

We in the public housing field do not have easy answers to the societal problems which give rise to the supply and demand for drugs. We do have specific steps which we are taking and which can be taken with proper financial support to do our part to make public housing drug-free.

Please do not hesitate to contact us for additional information on this matter of clear mutual national concern.

Sincerely,

Richard Y. Nelson Jr.

Richard Y. Nelson, Jr
Executive Director

Enclosures (3)

National Association of Housing
and Redevelopment Officials

December 1988

National Drug-Task Force Report On Drug-Free Public Housing

NAHRO National Association of Housing and Redevelopment Officials
1320 Eighteenth Street, Northwest, Washington, D.C. 20036-1803 (202) 429-2960
Fax (202) 429-9684

NAHRO NATIONAL DRUG TASK FORCE

MEMBERS

Betty Blackmon, Chair
Parker/Blackmon & Associates

James Clay, Deceased
Executive Director
San Francisco Housing Authority

Richard Herrington
Deputy Director
Housing Authority of the City of Austin

Alfonso Jackson
Executive Director
Housing Authority of the City of Dallas

Bryna K. Nadler
Executive Director
Drug Treatment Program of Lehigh Valley

Joanne Pilott
AT&T Health Affairs

Corina Robertson
Commissioner
Brownsville Texas Housing Authority

Douglas Tapking
Executive Director
Salt Lake County Housing Authority

Harry Thomas
Executive Director
Seattle Housing Authority

Helen L. Sause, President. **Apolonio Flores**, Senior Vice Pres... Michael A. Garcia, Jr., Vice President-Commissioners. **William H. Garrett**, Vice President-Community Revitalization and Develo... Jack Quinn, Vice President-Housing. **Michael F. Hanratty**, Vice President-Member Services. **Ophelia B. Basgal**, Vice President ... ...nal Development. **Richard Y. Nelson, Jr.**, Executive Director

RECOMMENDATIONS OF NAHRO's NATIONAL DRUG TASK FORCE ON DRUG-FREE PUBLIC HOUSING

1. PHA lease and grievance procedures should be changed to:

   a) allow for the immediate eviction of families involved in drug sale and distribution, families creating disturbances where authorities acknowledge the use of the dwelling for the sale or distribution of drugs by other than the occupant and other cases where law enforcement officials have evidence of drug distribution;

   b) reflect that residents evicted from public housing are not eligible to receive Section 8 housing assistance or housing vouchers;

   c) reflect that families or individuals convicted in local or state court for drug related disturbances of the peace are denied administrative grievance process for evictions.

2. Individuals convicted of drug trafficking should not be eligible for public housing or other housing assistance again for a period of 10 years.

3. As an eligibility requirement for public and assisted housing, individuals convicted of drug possession or use have to provide evidence that they have been rehabilitated.

4. Drug dealing within 25 feet of a public housing project or in public housing is punishable as a federal offense.

Funding

1. Localities should be required to make available a percentage of federal funds for use by public housing authorities in drug initiatives. A compliance review of fund usage should be conducted by an appropriate enforcement agency.

2. Congress should set aside additional dollars to fund drug initiatives for public housing over and above those dollars designated for CIAP.

3. Any monies seized from a PHA resident or confiscated on the premises of public housing as a result of drug investigations, should be given to PHAs for the operation of drug intervention, education, treatment, and prevention programs in public housing.

4. NIDA, ADAMHA, OSAI or other programs designated to provide prevention, treatment, intervention and training activities shall set aside 10% of funds for programs designed to assist public housing residents.

5. The Department of Housing and Urban Development should provide seed money and technical assistance to further resident participation and self-sufficiency programs in public housing. Projects should enhance

resident employment and promote the development of businesses and community economic development.

6. The federal government should mandate that as a condition of receipt of federal funding, states and localities should form coalitions or special interest groups comprised of law enforcement officials, civic groups, and other federal agencies to support PHAs in drug initiatives.

Employment and Training

1. Culturally sensitive training and education programs directed toward public housing residents should be developed. Any drug-related materials and activities should be sensitive to the target population.

2. The Department of Education should have special initiatives for educating public housing residents on drug issues.

3. HUD, in conjunction with NAHRO staff, should establish regional training centers for a period of two years to train PHA staff and residents in implementing drug initiatives.

4. The Department of Labor should set aside 10% of its budget for programs involving the training and employment of public housing families to foster self-sufficiency and further drug-free public housing.

Community and Resident Support

1. Resident associations should be strengthened and increased and community and individual involvement should be encouraged and supported to ensure the development and implementation of successful drug initiatives.

2. Housing authorities should include in their management plans activities directed toward eliminating crime which include the participation of local police and residents.

3. The local police department should establish special initiatives beyond their usual level of services where crime statistics indicate high incidents of criminal activity in public housing, i.e. setting up local stations, foot patrols, etc.

4. Resident associations receiving HUD funds shall be evaluated regarding the effective use of those funds to ensure they are directed toward the furtherance of the mission of self-sufficiency, drug-free public housing and resident involvement. Priority in funding should be given to those resident associations that support such efforts.

5. State, county, and local governments should provide, at least, the same level of municipal services to public housing as are provided to other parts of the community. Failure to do so would reduce federal funding.

INTRODUCTION

By now we all know the country faces a national drug epidemic that is invading our families, communities, our businesses and affecting the minds, lives and future of our youth.

The dramatic impact on individual lives, families and our society is constantly before us. The news media bombards us daily with the shocking stories of drug-related incidents. We need only pick up the papers or turn on the T.V. to hear the stories -- "Teenage Youth Shot to Death", "Police Makes Major Drug Bust", Councilperson Indicted for Cocaine Use."

The problem is not confined to particular individual neighborhoods or groups of people. The statistics are alarming. Over 23 million individuals are considered "current users" of illegal drugs. According to the most recent survey of American households by the National Institute for Drug Abuse, 37% of all americans over 12 years of age - more than 70 million people - have tried illegal drugs. In 1987, about 1/2 of all high school seniors reported having tried marijuana, 36% in the past year and 21% in the past few months.

Cocaine, heroin and other illegal drug use was the cause of death for more than 3,000 Americans in 1987 according to statistics of the Drug Abuse Warning Network. Reports indicate there were more than 800 drug-related murders nationwide during the past three years. More than 1/3 of federal prison inmates were convicted of drug-related offenses.

Even more threatening is the impact on our children. Elementary school children have been found selling drugs and some have been killed by drug lords. Our nation community is dangerously close to losing a significant number of its young people to drugs brought into this country from all over the world. We could go on but these figures alone are significant enough to make us standup and take notice. Such actions cannot be tolerated.

While the drug problem has no boundaries, increasing attention is being focused on the public housing community. Although many see public housing as the major breeder of the drug problem, the drug problem in public housing simply mirrors that of the nation.

NAHRO joined the national effort to declare war on drugs through a national task force developed to examine the issues and concerns of the public housing community and to provide recommendations for effective solutions and action. Our focus on public housing is not an acknowledgement that the drug problem begins or is localized in these communities. Our intent is to provide the housing industry with needed information to address the problem nationally. NAHRO recognizes that the issues and factors that impact the drug problems in public housing must be a major component of any national effort to attack the use of drugs.

This report represents the beginning step of NAHRO's attempt to focus national attention on the real issues and solutions that may truly make a difference at the local, state and national levels in combatting

drugs in public housing.

NAHRO'S TASK FORCE ON DRUG-FREE PUBLIC HOUSING

In September 1986, the President announced the formation of a partnership including the Attorney General and the Secretaries of the Department of Housing and Urban Development (HUD), Health and Human Services (HHS) and the Department of Labor (DOL). HUD was asked to take the lead role in moving this partnership forward.

For some time now the public housing community has struggled for solutions to the escalating drug problems. To further support these initiatives and provide input for other needed developments, NAHRO joined HUD in support of these efforts and to open the door for ongoing dialogue and action.

To date, HUD and NAHRO have conducted a national conference and several regional workshops to examine the issues of public housing and to begin the process for designing more effective solutions.

In addition, the NAHRO Drug Task Force conducted a national drug survey with a sample of 700 housing authorities to provide greater clarity on the extent of the problem and the major issues involved.

The group has also developed a more extensive resource guide to provide greater detail of the issues and to serve as a guide for others in the field.

NAHRO NATIONAL DRUG SURVEY

General Findings

The NAHRO Drug-Free Task Force conducted a survey of PHAs across the country to determine the extent of the drug/alcohol problem; to examine what authorities were doing about the problem; and to determine the barriers and factors needed for program success.

The survey was mailed to a random sample of 700 PHAs. All of the very large authorities were mailed surveys. There were a total of 245 respondents.

The breakdown of PHAs participating in the survey by number of units was as follows: 49.8 percent (122) of the respondents managed between 200-500 units; 25 percent (62) were medium-sized authorities with 502-1,250 units; 14.3 percent (35) were large authorities with units between 1,251-2,500 units. Approximately 10% were either in the very large or largest category with units between 2,501-9,001 or more. PHAs were also selected by geographic location.

IDENTIFYING THE PROBLEM

The survey indicated that more than half (55.2%) of the responding

agencies had a drug and alcohol problem within the PHA. Significantly, 32% of the PHAs indicated there was no problem. However, it appears from reading the comments that some of these PHAs may have been unwilling to admit that a problem existed within their authority. For example, we learned that one PHA which indicated that they had no drug or alcohol problem, did in fact have a drug program at the time of the survey. It is important to state that due to the subjective nature of the question it was not clear how many of the PHAs interpreted the question. Only 2.3% of the PHAs reported having solely an alcohol problem, and 10% reported only having a drug problem.

Of the problem areas identified most PHAs indicated that they had both a drug and alcohol problem. The problem appeared to be most prevalent with the larger PHAs. The breakdown of problems by size is as follows:

	SMALL	MEDIUM	LARGE	VLARGE	LARGEST
DRUG PROBLEM	5.9%	11.5%	25.7%	5.9%	0.0%
ALCOHOL PROBLEM	3.4%	3.3%	0.0%	0.0%	0.0%
DRUG & ALCOHOL PROBLEM	45.4%	60.7%	60.0%	82.5%	77.8%
NO PROBLEM	45.4%	24.6%	14.3%	11.8%	22.2%

Despite the identified problems, most of these PHAs did not have formal drug programs. It was surprising that 97.5% of the small agencies; 77.4% of the medium agencies; 71.4% of the large agencies; 58.8% of the very large agencies; and 33.3% of the very large agencies had no programs. There were, however, more programs at the very large and large agencies, which could suggest that their need for them is greater. Overall, 81% of the PHAs reported they did not have a formal drug and alcohol program.

In fact, many of these agencies indicated in their comments that they were seeking information in order to have a better understanding of just what they could do to respond to the problem. Comments noted a great deal of interest in approaches and funding procedures/sources.

SERVICES

Most services provided to residents in the area of drugs and alcohol were provided by outside agencies. Most PHAs provided services in the following areas: education (20.5%), counseling (22.2%), and special youth programs (20.9%). Most of the PHAs provided referrals (36.3%). An average of 20% provided general education, individual counseling, and special youth programs.

Residents provided little assistance in the provision of services. Most PHAs reported residents were most involved with referrals (42.9%) and education (26.1%).

PHAs reported that the agencies most frequently used for services were: local alcohol and drug abuse agencies (68.3%); Alcoholics Anonymous (51.0) and; state alcohol and drug agencies (41.2%). Only 20% used Narcotics Anonymous and only 29% used federal agencies.

The majority of these PHAs did not have written policies for residents or employees on drug/alcohol use. Only 15.6% had written policies for residents and 33.5% had policies for employees. Again, most had no employee services although there was more PHA participation in the provision of services for employees than for residents. Many of the PHAs (45.1%) did provide individual counseling for employees.

PHA TRAINING

The interest in drug issues is evident; 60.9% of total respondents attended the NAHRO/HUD conferences on drugs. Approximately 40% received training from outside sources, and, an average of 25% have attended some other type of training or seminar.

LAW ENFORCEMENT AND SECURITY STEPS

In the area of security, the main action taken by PHAs was increased lighting (68%). The other major security related actions were changes in physical design (48.6%); police foot patrols with police (25.2%); and resident foot patrols (14.9%). More than 1/3 of the PHAs had regular meetings with residents and law enforcement officials.

FUNDING

Funding sources seemed limited for PHAs to implement other generally drug related programs. The major source of funding was operating subsidy (34.7%); 20.3% used CIAP; and 16.9% relied on state or local grants. Some PHAs (10.3%) used civic groups and 7% used private foundation or corporation grants.

EVALUATIONS

Evaluation components for those PHAs with programs appear to be lacking. It seems that many PHAs either have new drug related programs or have not quantified their activities. PHAs for the most part did not know if their program efforts had any impact on drug use or drug-related activity in the community. However, 47.1% of the PHAs reported that community support increased and 55.5% reported that resident support increased. In addition 23% reported a decrease in drug sales and 27% reported a decrease in the presence of outside dealers.

The three most important factors PHAs identified for program success were: police cooperation (36.7%); resident support (35.7%); and lease/eviction policies (21.3%). The three most serious barriers to program success were: inadequate funding (41.8%); lack of resident support (38.2%); and weak lease and eviction policies (24.1%).

THE PUBLIC HOUSING COMMUNITY

The question frequently asked is why the attention on public

housing? Reports indicate that suburban communities face similiar problems. While public housing may not be the source of the problem, we cannot deny that the problem of drug abuse and illegal drug sales exists in many public housing communities.

The Task Force noted that some public housing communities may have become a haven for drugs for a variety of reasons:

1) High use - apartment communities are often targets for hiding drug trafficking [including but not limited to its law enforcement]. Public housing is frequently isolated from the larger community. This isolation makes public housing an attractive location for an illegal drug activity.

2) Public Housing Communities frequently receive less police protection and other community services which help to ward off criminal and drug activity. Also, there is clearly a relationship between drugs and other social problems which are more evident in these communities. Often there are inadequate schools and insufficient cultural/recreational activities that maintain the interest and attention of the youth.

3) The Public Housing population consists primarily of very low income families, many in poverty, existing with a sense of hopelessness and despair of ever obtaining a piece of the american dream. Youth and others become prime targets for lucrative offers of quick money, some being offered as much as $1,000 a day or more. Such activity becomes attractive to those looking for a quick fix for poverty.

   Further, lack of significant employment and training opportunities which represent a chance for good earnings seem elusive to most. The drug trade creates a window of opportunity through which people in poverty feel they can escape. Even the legal risks do not seem to be sufficient to overcome this lure.

4) Much of the increased visibility has come from the Public Housing community itself. Many residents are simply tired of being the victims of the drug trade -- many are tired of their young dying at alarming rates and many are now taking a stand to take back their communities from the drug pushers.

ISSUES

Several programs and problems were presented and discussed at both the regional and national NAHRO/HUD conferences and in the task force survey. The issues fall into several basic categories:

FUNDING

There are not sufficient funds within the public housing program to adequately address the escalating drug problem.

NAHRO's survey indicated that 41.8% of survey respondents report inadequate funding is their most serious barrier to program success. Many PHAs stressed that drug program implementation resulted primarily from local and private sector funding. Because of the shortage of funding, some of these programs are not self-sustaining. To carry out these efforts, the PHA is then left with a need for consistent and ongoing financial support.

The Employment and Housing Subcommittee of the Committee on Government Operations conducted field hearings in White Plains, New York to assess the impact of substance abuse upon public housing residents, and to examine the efforts and programs by HUD to combat drug abuse and drug-related damage in public housing. The report entitled, "Just Saying No is Not Enough: HUD's Inadequate Response to the Drug Crisis in Public Housing" in many ways speaks to the need for more dollars.

The report emphasizes that the only federal funding available for drugs from HUD is the Comprehensive Improvement and Assistance Program (CIAP) which was originally developed for the modernization of public housing. Many PHAs have used CIAP for innovative measures related to the physical improvements and security; although CIAP was not intended for such purposes. After the national HUD /NAHRO conferences PHAs were allowed to use up to 10% of CIAP funds for management improvements, including certain components of anti-drug programs. The 1988 CIAP now permits hiring additional staff to coordinate services such as drug education programs, but does not allow hiring staff to provide these services. In addition, the report adequately points out that all PHAs are not eligible for CIAP and that some eligible PHAs do not receive CIAP funding.

NAHRO disagrees with federal attempts to continue to tap the CIAP to address all of the PHAs needs.

Some PHAs use a portion of their operating subsidy to fund initiatives, if there are excess dollars available for such purposes or if these amounts were included in their original PFS calculations. For example, New York City Housing Authority pays 35% of its security police out of operating subsidies because this expense was included in the original calculation of the AEL in 1974. Many PHAs have a tremendous need for security but limited or no resources to fund such efforts.

While NAHRO recognizes that eliminating drugs cannot be the sole responsibility of one agency, HUD, as the agency charged with the responsibility for the Nation's public housing must provide greater resources as the base for PHAs to begin and expand their drug initiatives. In addition, other federal program funds must be tapped to allow the comprehensive solutions needed to address the drug problem.

NAHRO RECOMMENDS

1. Localities should be required to make available a percentage of federal funds for use by public authorities in drug initiatives. A compliance review of fund usage should be conducted by an appropriate enforcement agency.

2. Congress should set aside additional dollars to fund drug initiatives for public housing over and above those dollars designated for CIAP.

3. Any monies seized from a PHA resident or on the premise of public housing as a result of drug investigations, should be given to PHAs for the operation of drug intervention, education, treatment and prevention programs in public housing.

4. NIDA, ADAMHA, OSAI or other programs designated to provide prevention, treatment, intervention and training activities shall set aside 10% of funds for programs designed to assist public housing residents.

5. The Department of Housing and Urban Development should provide seed money and technical assistance to further resident participation and self-sufficiency program in public housing. Projects should enhance resident employment and promote the development of businesses and community economic development.

6. The federal government should mandate that as a condition of receipt of federal funding, states and localities should form coalitions or special interest groups comprised of law enforcement officials, civic groups, and other federal agencies to support PHAs in drug initiatives.

RESIDENT AND COMMUNITY INVOLVEMENT

The NAHRO drug survey identified a second issue crucial to program success in the war on drugs; resident support/community involvement. Sometimes PHAs do not provide needed services because of shortage of funding. Some PHAs report problems with getting needed services from outside agencies. There was general agreement by survey respondents that PHAs must support and encourage their residents to take an active role in protecting their homes against drugs.

It is clearly recognized that it will take a united community, willing to confront the fear that victimizes them in order for these initiatives to work. PHAs report that where resident groups have crime watch programs and work cooperatively with police, drug problems have diminished. Even where residents have been anonymously involved such efforts have paid off. News reports also highlight even bolder efforts such as candlelight vigils in public housing and surrounding communities as the community stands together against crime. It is clear that PHAs must find ways to solicit resident trust and support to help in these initiatives.

The wider community involvement is yet another issue. Many PHAs rely totally on outside resources to support their programs. In some

cases, these programs would not exist without this support. The NAHRO survey indicates that most of the services related to general education, counseling and health care are provided by outside community services which are crucial to the PHA.

Some PHAs have expressed the difficulty in working with these agencies in their community. Some indicated the services were not sufficient or non-existent. All agree, however, the provision of such services is critical to the war on drugs; particularly in the public housing program.

To meet the shortfall in services, NAHRO believes that the government should insure that in each locality a comprehensive and coordinated government social service program should be provided. Participating agencies should include local agencies and groups, i.e. schools, civic groups, police department as well as the federal agencies Health and Human Services (HHS), Department of Labor (DOL) employment services, the court system, etc.

NAHRO RECOMMENDS

1. PHAs should develop comprehensive plans that address resident involvement at all levels of program development. Resident associations should be strengthened and increased as well as community and individual involvement to support the development and implementation of drug initiatives.

2. Housing authorities should include in their management plans activities directed toward eliminating crime which include the participation of local police and resident participation.

3. The local police department should establish special initiatives beyond their usual level of services where crime statistics indicate high incidents of criminal activity in public housing; i.e. setting up local stations, foot patrols, etc.

4. Resident associations receiving HUD funds shall be evaluated regarding the effective use of those funds to ensure they are directed toward the furtherance of the mission of self-sufficiency, drug-free public housing and resident involvement. Priority in funding should be given to those resident associations that support such efforts.

5. State, county, and local governments should provide, at least, the same level of municipal services to public housing as are provided to other parts of the community. Failure to do so would reduce federal funding.

6. PHAs should identify barriers to resident involvement and develop strategies to eliminate barriers.

LEASE AND GRIEVANCE POLICIES

The third most serious barrier to program success reported was weak

lease and grievance policies. The areas highlighted were admission or screening, eviction and security policies.

One of the biggest problems confronting public housing authorities is the inability to evict individuals or families that are known drug traffickers or participants in other illegal activity without going through the lengthy court process. The process of identifying, arresting and adjudicating a public housing resident for illegal drug activity is slow and time consuming and could take as long as 1-2 years from the time of arrest to conviction.

These families not only affect the rental income of the PHA as many are non-rent payers, but also seriously impact the PHAs ability to manage routine activities.

Screening and admission criteria pose different problems for PHAs. Because of limited resources, PHAs are often unable to effectively screen residents. However, where such screening does takes place PHAs still find it difficult to deny entrance to individuals that pose a threat to the health and safety of other families. The local courts and legal aid groups constantly fight PHAs in their attempts to screen. PHAs need some protection at the federal level to protect them from these local legal actions.

The new lease and grievance regulations published in the August 30, 1988 Federal Register offer PHAs some relief. The regulations allow evictions of families for criminal activity related to drugs without a court conviction. NAHRO fully supports this provision.

NAHRO RECOMMENDS

1. PHA lease and grievance procedures should be changed to:

   a) allow for the immediate eviction of families involved in drug sale and distribution, families creating disturbances where authorities acknowledge the use of the dwelling for the sale or distribution of drugs by other than the occupant and other cases where law enforcement officials have evidence of drug distribution. NAHRO fully supports current lease and grievance regulations which allow evictions before a court conviction in drug-related cases.

   b) reflect that residents evicted from public housing are not eligible to Section 8 housing assistance or housing vouchers; and

   c) reflect that families or individuals convicted in local or state court for drug related disturbances of the peace are denied administrative grievance process for eviction;

2. Individuals convicted of drug trafficking should not be eligible for public housing or othe housing assistance again for a period of 10 years.

3. As an eligibility requirement for public and assisted housing, individuals convicted of drug possession or use have to provide evidence that they have been rehabilitated.

4. Drug dealing within 25 feet of a public housing project or in public housing should be punishable as a federal offense.

SECURITY/LAW ENFORCEMENT

Clearly, police presence to combat and deter criminal activity is crucial. As isolated communities, many public housing authorities do not receive adequate municipal police protection. Reports cite that police often respond slowly or fail to respond to calls within the development. Stated reasons vary from fear of the to environment to lack of officers to adequately serve neighborhods.

Recognizing this problem, many PHAs have developed innovative programs with police and residents. Some PHAs have worked with police to develp mini- sub-stations on the developments. Some have instituted police and resident patrols. Many still desperately need funding and other support to provide the protection and safety needed for their families.

The task force believes that municipal police departments must be encouraged to include the public housing community in its patrol and staffing of officers. Federal funding should also be provided at the local level to police departments to increase police protection in these communities.

ADDRESSING CULTURAL DISPARITIES -- TRAINING/EDUCATION

Blacks, Hispanics and other minority groups may have different cultural values about drug use or trafficking and different social needs. To be effective drug programs must be modified to these cultural values.

Public housing communities with large concentrations of minority families need specially tailored programs, particularly in the areas of education, treatment and prevention. These programs including counseling and support should be created and perhaps offered by minority representatives.

Many of the inducements in the drug trade are directly tied to economics. Members of the PHA community are prime targets because of their plight -- low-income families; limited meaningful job opportunities; and limited training/educational skills to meet the demands of this expanding society. The NAHRO task force emphasizes that to successfully address drugs within these communities we must pay attention to the more pressing and indirect social problems particular to the cultures. To this end, programs must be designed to address not only the economics of poverty, through education, training and job placement, but also the self-esteem and social development needs of the population.

We must begin to change attitudes and behavior; and restore a sense of hope and the possibility for achievement. Only by emphasizing these basics can we as a nation achieve the intended goal of equal opportunity

for all.

NAHRO RECOMMENDS

1. PHAs in coordinated with local groups should have alcohol and drug prevention programs for residents and employees. These programs should be culturally sensitive to the populations involved. Any drug-related materials and activities should reflect the target population.

2. The Department of Education should have special initiatives for educating housing residents on drug issues.

3. HUD in conjunction with NAHRO staff should establish regional training centers for a period of two years to train PHA staff and residents in implementing drug initiatives.

4. The Department of Labor should set aside 10% of its budget for programs involving the training and employment of public housing families which foster self-sufficiency and further drug-free public housing.

CONCLUSIONS

The issue of drugs is becoming the number one problem for many PHAs, making the provision of decent, safe and sanitary housing for low-income families more illusive.

If we are to continue to provide safe and sanitary housing to the 4 million low income individuals that are housed we must carefully address these issues. Any national drug policy must design programs and solutions that specifically address the needs of the public housing program. This effort can only be accomplished through great effort, committment and funding.

This report attempts to address issues pertinent to public housing and make constructive recommendations toward a comprehensive solution to drug abuse in public housing. We provide these recommendations for the congressional and local politicians, federal, state and local agencies, community organizations, and private individuals committed to making a difference in these communities.

NAHRO stands committed to work tirelessly to see these beginning ideas for constructive change implemented. While any action will take time, we must begin now to bring about change, for the future of our communities, our young and our nation.

1989 Position Paper NAHRO

Drug-free Public Housing

NAHRO Position

Drugs in public housing mirror the problem that exists in the larger community. Drugs are the number-one problem for some public housing authorities (PHAs), making the provision of decent, safe, and sanitary housing for low-income families much more illusive. NAHRO believes any national efforts to combat the drug problem must include constructive solutions that focus on public housing residents and the housing in which they live. Although the Department of Housing and Urban Development (HUD) regulations and policies must serve as the policy framework for PHAs combating drug abuse, initiatives must extend beyond HUD. The cooperation of other federal agencies as well as state, local, and private partnerships will be necessary to meet the challenge. PHAs are committed to continuing this battle on the local front, but desperately need the support of federal, state, and local governments, private and public groups, and residents to win the war. (A more detailed description of NAHRO's positions are outlined in the NAHRO Drug-Free Task Force Report entitled *Toward Drug-Free Public Housing*.)

NAHRO urges Congress to fully fund drug provisions authorized under the Omnibus Drug Act of 1988. This initiative is a good first step toward safer communities and drug-free public housing.

NAHRO further encourages Congress to support the implementation of the HUD revised lease and grievance regulations (August 30, 1988) which support PHA efforts to eliminate drugs and other criminal activity in public housing, while protecting the due process rights of public housing residents.

Congressional Action Needed

- Appropriate funds for a FY 1989 supplemental appropriation of $8.2 million and a $50 million FY 1990 appropriation to implement the Lautenberg Public Housing Drug Elimination Pilot Program (Sec. 5121 of the Omnibus Drug Act).
- Appropriate funds for a FY 1989 supplemental appropriation of $34 million and a $34 million FY 1990 appropriation authorized under Section 550 of the Omnibus Drug Act for a Health and Human Services grant program to states to demonstrate, among other things, drug treatment for residents of public housing.
- Appropriate $50 million in FY 1990 to fund Section 5102 of the Omnibus Drug Act which permits PHAs to hire investigators to compile evidence on illegal drug use and trafficking for use in eviction efforts.
- Appropriate $40 million in FY 1990 to fund the block grant program authorized for the Department of Justice for law enforcement agencies, universities, and other institutions to research the illegal manufacture and sale of drugs in public housing (Sec 5104).

National Association of Housing and Redevelopment Officials,
1320 Eighteenth Street, NW, Washington, D.C. 20036; 202/429-2960

Federal/State/Local Role

A comprehensive, overall approach is crucial to achieving the goal of drug-free public housing. This effort must be carried out at all levels of government. We support and applaud the Omnibus Drug Law which provides grants to states and includes funds from other federal agencies.

NAHRO believes that private and public entities within the community must also be involved. State, county, and local governments must provide at least the same level of municipal services to public housing as other parts of the community. Local police departments must be supported in additional funding from all levels to establish special initiatives to expand services to PHAs for more local police sub-stations, foot patrols and increased police surveillance, and community participation.

Private entities must also support the Department of Labor in efforts to train and employ public housing families to foster self-sufficiency and further drug-free public housing. Most importantly, residents must become active participants in reclaiming their neighborhoods and ensuring the safety of their environments.

Background

PHAs for some time have been waging a private war against drugs in public housing. Limited resources and incomplete information have made that job very difficult. PHAs now report that drugs are becoming an increasingly more serious problem, just as they are for the nation as a whole. Much time, energy, and money is needed to do an effective job.

In 1986, NAHRO formed a task force to investigate PHA drug related issues. The task force conducted a survey which resulted in several major findings:

1) **Insufficient funds within public housing to adequately address escalating drug problems**—PHAs reported funding as their most serious barrier to effective anti-drug programs. Currently, CIAP funds are the only federal dollars available for anti-drug efforts, unless the PHA has additional reserves from operating subsidy. Current CIAP/PFS funding is not even enough for the extensive security needs of PHAs. There is a $21 billion backlog of modernization needs requiring at least $2.5 billion annually over the next 10 years. Operating subsidy was underfunded in FY 1988 by 6 percent, a $23 million shortfall which hurt the operation of some PHAs. These programs cannot continue to be stretched to meet other needs and effectively serve their intended purposes.

PHAs have always been allowed up to 10 percent of CIAP funds for management improvements, including certain components of anti-drug programs. The 1988 CIAP now permits hiring additional staff to provide these services. However, all PHAs are not eligible for CIAP, and some eligible PHAs do not receive CIAP funding. Absent availability of this resource, PHAs virtually have no federal support for their war on drugs.

2) **Weak lease and grievance policies**—PHAs currently are not able to evict residents known to be active participants in drugs and other criminal activity prior to a conviction. This process could last as long as one to two years from the time of arrest to conviction. Strong regulations are crucial to providing PHAs an effective mechanism for eliminating the drug and criminal element from public housing and providing decent, safe, and sanitary housing, as the law requires. The August 30, 1988 HUD lease and grievance regulations give PHAs the needed flexibility to accomplish this goal while protecting the due process rights of tenants. Without them, PHAs will be unable to respond quickly and decisively against drug abuse.

3) **The need for resident and community support to achieve program success**—Many PHAs have successfully worked with residents, through partnerships in the community, and with their local and state governments to implement effective comprehensive anti-drug programs. Many of these programs, which are highlighted in the *NAHRO / HUD Resource Guide for Drug-Free Public Housing* (to be published by NAHRO in March/April 1989) are in their infancy and require federal assistance to ensure their continuation.

Revitalizing the Public Housing Stock

NAHRO Position

NAHRO supports full federal funding of public housing operating subsidies and modernization needs based on the Abt Modernization Needs Study and a realistic estimate of future repair and replacement needs. NAHRO supports the implementation of Comprehensive Grants in FY 1990 provided that sufficient funds are appropriated and an equitable distribution formula is developed. NAHRO calls for separate line item funding for testing and abatement of lead-based paint.

Congressional Action Needed

- Authorize and appropriate $3.53 billion for modernization in FY 1990—$2.53 billion representing backlog need and a minimum of $1 billion representing reserve contributions for future repair and replacement needs.
- Authorize and appropriate $1.8 billion in FY 1990 for Public Housing Operating Subsidies.
- Implement a Comprehensive Grants program for FY 1990 (for PHAs with 500 or more public housing units.) Representatives of the public housing industry should have input into the development of that program.
- Provide for a line item authorization and appropriation of $1.3 billion for FY 1990 and each subsequent year through FY 1995 for lead-based paint testing and abatement.

Federal/Local Role

The federal government must keep its commitment to its $75 billion public housing inventory and should not abdicate its responsibility to state and local governments to support public housing. Congress must provide the necessary modernization funds to maintain this federal asset which serves low-income American families. PHAs by law must serve very-low-income persons with rents restricted. PHAs are responsible for preparing modernization plans, obligating modernization funds in a timely fashion, and carrying out public housing modernization.

National Association of Housing and Redevelopment Officials,
1320 Eighteenth Street, NW, Washington, D.C. 20036; 202/429-2960

Background

Public housing serves 4 million persons in 1.4 million housing units. It is the nation's largest permanently affordable assisted housing program. Under the Comprehensive Improvement Assistance Program (CIAP), PHAs modernize their deteriorating physical housing stock, reduce repair backlogs and vacancies, implement management improvement and energy conservation plans, and make their housing developments more livable—for example, by increasing access for handicapped persons and by installing security hardware. An estimated 27,000 units of public housing are vacant and in need of modernization. By eliminating these vacancies, opportunities for crime and vandalism will be reduced, and neighboring residents will feel more secure. Residents will take pride in their homes and better maintain them. Modernization is part of the effort to achieve drug-free public housing and to stabilize neighborhoods. Congress appropriated $1.685 billion for FY 1988 and $1.646 billion for FY 1989 for public housing modernization.

These appropriations levels are not sufficient to eliminate the backlog of modernization needs. Under a congressionally mandated study, Abt Associates, Inc., estimated that the backlog of public housing modernization needs (new roofs, heating plants, window frames, mechanical and plumbing systems) was nearly $21 billion in 1985. That translates into $2.3 billion per year for 10 years at 1989 costs.

Under another mandated study, ICF, Inc., estimated that public housing capital repair and replacement needs would accrue at the rate of $993 million or $788 per unit (in the first year after modernization backlogs were eliminated). Also, ICF indicated that the total accrual amount would rise to $1.106 billion by the fifth year and $1.341 billion by the fifteenth year. ICF's figures do not include capital repairs associated with energy, handicapped access, or security improvements. NAHRO found that HUD arbitrarily limited the scope of the ICF accrual study.

The Housing and Community Development Act of 1987 authorized Comprehensive Grants to replace CIAP for PHAs with 500 or more public housing units. Comprehensive Grants would effectively deregulate the modernization process, eliminating HUD micro-management and funding delays. And, they would provide PHAs with the funds to make backlog repairs and address future needs.

Under CIAP, PHAs do not accumulate reserves to make future capital repairs. Under Comprehensive Grants, PHAs must make thoughtful decisions necessary to balance current and future capital repair needs. It is NAHRO's hope that the CIAP program that remains in place for small PHAs will reflect the spirit of deregulation implicit in the Comprehensive Grants plan. Under both programs, NAHRO supports a balance in the distribution of funds to accommodate the needs of both rural and urban areas.

Congress must approve a Comprehensive Grants allocation system. HUD must submit a system to Congress by February 5, 1989. NAHRO supports an allocation system with the following features: (1) a national fund based on the level of need estimated in the backlog and future accrual studies; (2) an allocation to the 10 HUD regions based on the concentration of modernization needs and regional cost factors; and (3) individual PHA allocations in two parts: (a) a base per-unit amount, and (b) an additional amount for units associated with higher costs (family units, more densely sited developments, and development age).

As part of the Abt study, the cost of lead-based paint testing and abatement was estimated at $440 million. This estimate is too low. It does not reflect the more stringent requirements adopted in the 1987 Housing and Community Development Act. It also does not reflect an increased awareness of the dangers created by some abatement techniques.

The McKinney Homeless Assistance Amendments Act of 1988 requires HUD to annually determine the cost of lead-based paint testing and abatement. Currently, the National Institute of Building Sciences (NIBS) is preparing guidelines for safe, effective lead-based paint testing and abatement, using the most advanced technologies. Because of the scope of the problem, NAHRO recommends Congress authorize and appropriate funds separate from CIAP and Comprehensive Grants to test and abate lead-based paint in public housing.

Senate Permanent Subcommittee on Investigations

EXHIBIT [redacted]

A STATEMENT TO THE SENATE SUB COMMITTEE ON INVESTIGATIONS

Samuel A. Hider, Executive Director, Atlanta Housing Authority

Mr. Chairman and Senator Roth and Members of the Sub Committee:

I am honored to have this opportunity to share with you my concerns about current conditions in our nation's large, urban public housing programs that provide affordable shelter for thousands of economically disadvantaged citizens. For the last ten years I have served as Executive Director of the Atlanta Housing Authority, the fifth largest public housing agency in the country. From this position, I have seen first hand many of the complex human and structural needs which are commonplace in public housing projects in metropolitan areas across the nation.

Crime, illiteracy, low self esteem, truancy, and teenage pregnancy are daily challenges in Authority communities. But perhaps the most difficult problem to date is the illicit drug trade which is preying on our residents. Almost daily, newspapers give accounts of out of control drug trafficking, and too much of it happens in public housing. In recent weeks, a six-year old girl was caught in the crossfire of a drug deal gone sour in Techwood Homes, the oldest public housing project in the nation. Several years ago, more than $17-million was spent to rehabilitate this aging community, but there have been very few funds available to deal with human needs which go beyond shelter.

A reasonable question for you to ask at this juncture is "How can we restore hope in these communities?" It will take commitment, innovation, and careful planning. But even more important, tenants must desire this change and be willing to also help themselves. They must play an essential role in bringing both individual and collective improvements to public housing.

In recent months attention has been focused on tenant management and ownership as possible vehicles to aid tenants' upward mobility. These are two concepts which I support, but they should not be viewed as a panacea.

Following is the Atlanta Housing Authority's position on tenant ownership and management and other critical public housing issues:

I support the concept of tenant upward mobility and I am convinced that tenant ownership and management will work in some projects if certain preconditions are met. For example, the Atlanta Authority has set up a resident management corporation at Suburban Courts, a 60-unit project, with plans to help tenants submit an application for HUD funding of a pilot effort leading to resident management.

Tenants in the community would set up a non-profit resident management corporation composed of an elected board of tenant directors and governed by a set of written by-laws. The board would contract with the housing authority to manage the community. These initiatives would be phased in after tenants are properly trained for these roles. The Atlanta Authority is committed to identifying ways to provide tenant training as Phase One, as it is essential that tenants assuming the management and ownership roles go through this learning process to prepare themselves for future responsibilities of handling the day-by-day challenges and opportunities.

Included in our concept of tenant ownership and management is the assurance that the housing stock remains in the hands of those in need, and that the property would revert back to the Authority should a tenant encounter economic difficulty or is no longer in a position to remain in the property.

I definitely support a detailed information system stemming from the HUD office in Washington to track tenants nationwide to keep non-desirables out of units. This would primarily include tenants with previous drug convictions. I support Secretary Jack Kemp's position on evictions as expeditiously as possible of tenants involved in drugs. I support methods of safeguarding the rights of tenants and have a strong belief that cases involving drugs and crime should be considered with more individuality.

In several of Atlanta's larger public housing communities, we are making progress in reducing crime and drug/crime related activities with the development of Interagency Councils. In Bankhead Courts, a 500-unit project located on the outskirts of the city, such an organization is in its first year of operation. The Council, composed of a variety of community agencies, organizations and business leaders, meets monthly with a mission to help Bankhead residents reach a higher level of self sufficiency by pooling resources to address widespread problems with unemployment, job training, drug abuse, transportation, child care, and law enforcement. Tenants are vocal in identifying community needs and committees have begun working toward such goals as setting up tutorial services, expansion of the community's child care program, and anti-drug efforts.

A success story to come out of the Bankhead Interagency Council is the employment by the Authority of a 21-year old resident now working as an administrative assistant in the management office of Techwood Homes.

We stay in constant support of all efforts to obtain additional modernization funds, as the majority of Atlanta's housing stock was built in the 1940-1960 years.

At the Atlanta Authority we have two slogans constantly before us —**INVEST IN YOUR FUTURE....SAVE THE CHILDREN** and **NEW REALITIES FOR OLD NEEDS**. With these two messages before us we can look to the future with increasing strength toward our management practices, tenant relations and the development of innovative programs to keep the Authority on a positive and productive course.

Thank you for your attention.

○